

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

IN RE:	BRENT FISCHER	)	OEIG for the Agencies of the
		)	Illinois Governor
		)	Case #21-00826

PUBLICATION OF REDACTED VERSION OF OEIG FINAL
REPORT

Below is the redacted final summary report from an Executive Inspector General. The General Assembly has directed the Executive Ethics Commission (Commission) to redact information from this report that may reveal the identity of witnesses, complainants or informants and “any other information it believes should not be made public.” 5 ILCS 430/20-52(b).

The Commission exercises this responsibility with great caution and with the goal of balancing the sometimes-competing interests of increasing transparency and operating with fairness to the accused and others uninvolved. To balance these interests, the Commission may redact certain information contained in this report. Additionally, the Commission redacts certain information that relates to allegations against a person who was found not to have committed a violation. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report’s factual allegations or legal conclusions before the Commission. Further, in publishing the below redacted final summary report, the Commission makes no finding of law or fact for or against any individual or entity referenced therein.

The Commission received this report from the Governor’s Office of Executive Inspector General (“OEIG”) and a response from the agency in this matter. The Commission, pursuant to 5 ILCS 430/20-52, redacted the final report and mailed copies of the redacted version and responses to the Attorney General, the Executive Inspector General for the Governor, and Brent Fischer’s last known address.

The Commission reviewed all suggestions received and makes this document available pursuant to 5 ILCS 430/20-52.

Office of the Executive Inspector General
for the Agencies of the Illinois Governor
Summary Report

I. EXECUTIVE SUMMARY

On May 6, 2021, the Office of Executive Inspector General (OEIG) opened an investigation into whether Illinois Law Enforcement Training and Standards Board (ILETSB) Executive Director Brent Fischer improperly provided a Law Enforcement Officer certification to [Individual 1], certifying [Individual 1] as a part-time law enforcement officer without [Individual 1] having the requisite training.

[Individual 1], through his [Charitable Organization 1], has made substantial donations to various law enforcement entities and projects throughout the years. Of significance, in 2016, [Individual 1] donated property to ILETSB and spent approximately \$15 million dollars to build a training facility on the property; in 2017, [Individual 1]’s [Charitable Organization 1] provided \$250,000 in transition costs, \$330,000 in instructor salaries, and two vehicles for the startup of the Macon County Law Enforcement Training Center; and in the summer of 2019, [Individual 1]’s [Charitable Organization 1] executed a lease of a building to ILETSB for one-dollar annual rent. Executive Director Fischer and ILETSB have also made requests to [Individual 1] for funds, including a donation of \$275,000 and another \$10,000 to support the ILETSB canine program.

In 2018, the Macon County Sheriff’s Office sought a waiver for [Individual 1] so that he could serve as a part-time undersheriff. Although waivers had previously only been granted to officers who changed jobs and had been through the prescribed minimum standard basic training course or an equivalent training course out of state, [Individual 1] was approved for a waiver by Mr. Fischer on January 11, 2019 without having completed such a training course. In addition to approving the waiver, Mr. Fischer provided [Individual 1] with a certification dated January 11, 2019, indicating that [Individual 1] was certified to be a part-time law enforcement officer when, in fact, [Individual 1] did not meet the requirements for certification. [Individual 1] proceeded to provide this ILETSB certification to other entities in support of his law enforcement credentials.

On October 16, 2020, [Individual 1’s Political Committee] filed a statement of organization with the Illinois State Board of Elections, supporting [Individual 1]’s candidacy for Sheriff of Macon County in 2022.¹ On June 12, 2021, during the course of this investigation, [Individual 1] announced that he was suspending his campaign for Macon County Sheriff explaining, in part, that it was “open to interpretation whether” he met the new Sheriff eligibility requirements.² One of those requirements includes having a certification attesting to the successful completion of a training course as prescribed by ILETSB or a substantially similar training program of another state or the federal government.³

¹ See [Identifying Information Redacted] (last visited May 26, 2021).

² See [Identifying Information Redacted] (last visited June 14, 2021).

³ P.A. 101-652, eff. 1-1-22.

II. BACKGROUND

The Illinois Law Enforcement Training and Standards Board (ILETSB) is the State agency mandated to promote and maintain a high level of professional standards for law enforcement and correctional officers.⁴ ILETSB is composed of 18 members, most of whom serve terms of one to three years.⁵ ILETSB also employs an Executive Director,⁶ and Brent Fischer was appointed to that role in December of 2015.⁷ Prior to his appointment, Mr. Fischer served as Sheriff of Adams County for 17 years and served 10 years as an ILETSB board member, including as Chairman from 2010 to 2012.

ILETSB has a number of responsibilities including the selection and certification of schools for the purpose of providing basic and advanced training for police officers; establishing appropriate mandatory minimum standards relating to the training of law enforcement officers; and providing appropriate certification to those officers who successfully complete the prescribed minimum standard basic training course.⁸ ILETSB receives no State general revenue funds. Rather, funding of in-service and recruit training comes from monies acquired from the surcharge fund and federal and State grants.⁹ Additionally, ILETSB may accept gifts, donations, and other financial assistance from “any individual, association, corporation or other organization, having a legitimate interest in police training, and from the United States of America and any of its agencies or instrumentalities, corporate or otherwise.”¹⁰ As of August 2018, ILETSB may also “own and lease property” and accept donations of real property.¹¹

III. INVESTIGATION

A. Sheriff Qualification Requirements

As discussed in further detail below, the Illinois Police Training Act requires any individual who receives a “permanent appointment” to a law enforcement position to complete the required course of training and receive a certification from ILETSB upon passing the standard

⁴ See <https://www.ptb.illinois.gov/> (last visited May 10, 2021); 50 ILCS 705, Illinois Police Training Act.

⁵ The members include the Attorney General, the Director of the Illinois State Police, Director of the Illinois Department of Corrections, Superintendent of Chicago Police Department, Sheriff of Cook County, Clerk of the Circuit Court of Cook County and twelve other members appointed by the Governor as follows: two mayors or village presidents of Illinois municipalities; two Illinois county sheriffs from counties other than Cook County; two managers of Illinois municipalities; two chiefs of municipal police departments having no superintendent of the police department on the Board; two citizens of Illinois who are members of an organized enforcement officers association; one active member of a statewide association representing municipal police chiefs; and one active member of a statewide association representing sheriffs. The members appointed by the Governor serve one to three-year terms. 50 ILCS 705/3. The members of the Board serve without compensation but are entitled to reimbursement for their actual expenses in attending meetings and in the performance of their duties. 50 ILCS 705/4.

⁶ 50 ILCS 705/4.

⁷ See <https://www.ptb.illinois.gov/about/staff-directory/> (last visited May 12, 2021). Following a Special Board Meeting, on June 9, 2021, ILETSB suspended Mr. Fischer for the duration of this investigation, and appointed Keith Calloway to serve as Interim Executive Director during Mr. Fischer’s suspension.

⁸ 50 ILCS 705/6.

⁹ See <https://www.ptb.illinois.gov/about/agency-information/> (last visited May 11, 2021).

¹⁰ 50 ILCS 705/5.

¹¹ P.A. 100-995, eff. 8-20-18.

examination.¹² However, the Act exempts those serving as elected county sheriffs from the training and certification requirements.¹³ Additionally, the Counties Code contains the required qualifications for sheriffs in Illinois. Until recently, the Counties Code indicated that to be eligible to be elected or appointed to the office of sheriff, a person must:

- (1) be a United States citizen;
- (2) have been a resident of the county for at least one year; and
- (3) not be a convicted felon.¹⁴

However, in February 2021, the Statewide Use of Force Standardization Act, House Bill 3653, amended the Counties Code, adding an additional qualification to be elected or appointed to the office of sheriff. According to the amendment, as of January 1, 2022, to be eligible, a sheriff candidate must also have “a certificate attesting to his or her successful completion of the Minimum Standards Basic Law Enforcement Officers Training Course as prescribed by the Illinois Law Enforcement Training Standards Board or a substantially similar training program of another state or the federal government.”¹⁵

B. Law Enforcement Officer Certification Requirements

The Illinois Police Training Act—which created ILETSB—requires that law enforcement officers in Illinois obtain a certification from ILETSB attesting that they are qualified to work as law enforcement officers. Specifically, the Act requires that a person hired to serve as a part-time law enforcement officer obtain from ILETSB, generally within 18 months after the initial date of hire, “a certificate (i) attesting to his or her successful completion of the part-time police training course; (ii) attesting to his or her satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) attesting to the Board’s determination that the part-time police training course is unnecessary because of the person’s extensive prior law enforcement experience.”¹⁶ The Executive Director has the authority to “make reports and recommendations concerning certification to the Board,”¹⁷ but only the Board has the authority to “issue a certificate to individual recruit law enforcement officers, . . . when those officers have successfully completed an approved basic training course.”¹⁸ To obtain such a certification from ILETSB, part-time law enforcement officers must complete the part-time basic training course by attending all training sessions and passing the written test for each training module.¹⁹ Following completion of the basic

¹² 50 ILCS 705/8.1.

¹³ *Id.*

¹⁴ 55 ILCS 5/3-6001.5.

¹⁵ P.A. 101-652, eff. 1-1-22.

¹⁶ 50 ILCS 705/8.2. Similarly, the Act requires a person hired as a full-time law enforcement officer obtain, within 6 months of the officer’s initial full-time employment, “a certificate attesting to the officer’s successful completion of the Minimum Standards Basic Law Enforcement or County Correctional Training Course as prescribed by the Board; or has been awarded a certificate attesting to the officer’s satisfactory completion of a training program of similar content and number of hours and which course has been found acceptable by the Board under the provisions of this Act; or a training waiver by reason of extensive prior law enforcement or county corrections experience the basic training requirement is determined by the Board to be illogical and unreasonable.” 50 ILCS 705/8.1.

¹⁷ 2 Ill. Admin. Code 2100.260.

¹⁸ 2 Ill. Admin. Code 2100.210.

¹⁹ 20 Ill. Admin. Code 1720.20; 1770.201; and 1770.205.

training course, officers must also pass the certification examination in order to be eligible to receive certification attesting to their successful completion of the part-time basic training requirements.²⁰

ILETSB has likened these requirements to prerequisites mandated for other licensed professionals, like lawyers and certified public accountants, and has indicated that “Board licensing [of law enforcement officers] is [] directed toward protecting the safety and welfare of the citizenry.”²¹ Additionally, ILETSB has stated that “[t]he establishment of extensive training and certification requirements helps ensure that only the best, the brightest and most competent of individuals become law enforcement officers. . . . and the Board is committed to its role in helping to guarantee such high standards for law enforcement personnel.”²² Accordingly, only those recruits “who successfully pass the comprehensive examination [are] eligible to receive certification attesting to their successful completion of the minimum standard basic law enforcement training requirements.”²³

1. Training Program

Before part-time officers are permitted to begin the basic training course, they must complete a physical fitness test, which includes a sit and reach test, one-minute sit-ups, bench press, and 1.5-mile run.²⁴ The fitness test was created in recognition of the importance of physical fitness in the performance of essential law enforcement duties.²⁵ Recruits then must successfully complete the part-time basic law enforcement officers training course.²⁶ The basic training course generally includes a minimum of approximately 560 hours of classroom instruction on topics including the Illinois Vehicle Code, Criminal Offenses in Illinois, Civil Rights and Civil Liability, Firearms, Control and Arrest Tactics, Taser Certification, Law Enforcement Driving, and Initial Medical Response.²⁷ The basic training course also includes practical field exercises (such as physical training, control and arrest tactics, and firearms), and scenario based training exercises.²⁸

The basic training course is intended and designed to “ascertain[] through a task analysis the knowledge, skills, and abilities needed by a patrol officer.”²⁹ The basic training curriculum was “developed through an extensive research effort, whereby each curriculum section is derived from, and is directly linked to, specific job duties and tasks that are performed on a daily basis by practicing police officers,” with the implication of such a design being “that each and every

²⁰ 20 Ill. Admin. Code 1770.206.

²¹ Justex Systems Inc Illinois Basic Police Training Validation Project – Report on Establishment of Examination Minimum Passing Score, September 1983.

²² Guidelines for the Administration of the Law Enforcement Officers Certification Examination, Issued May 1, 1997; revised August 29, 2016, Cover letter authored by Mr. Fischer.

²³ Guidelines for the Administration of the Law Enforcement Officers Certification Examination, Issued May 1, 1997; revised August 29, 2016, Section I. B (General Administrative Procedures).

²⁴ 20 Ill. Admin Code 1770.207.

²⁵ See <https://nipsta.org/201/Police-Officer-Testing-POWER> (last visited May 25, 2021).

²⁶ Guidelines for the Administration of the Law Enforcement Officers Certification Examination, Issued May 1, 1997; revised August 29, 2016, Section I.A.

²⁷ See e.g., <https://isp.illinois.gov/BasicTraining/560BasicTraining> (last visited May 25, 2021).

²⁸ *Id.*

²⁹ Justex Systems Inc Illinois Basic Police Training Validation Project – Report on Establishment of examination minimum passing score, September 1983.

element of instruction is relevant to the law enforcement function, and must be understood and mastered, if one is to become competent as a law enforcement officer.”³⁰

2. Examination

Closely allied with the basic training curriculum is the Law Enforcement Officers Certification Examination.³¹ All recruits must take the comprehensive examination after the successful completion of their training course.³² Each recruit has 3 ½ hours to complete the exam,³³ which includes 200 questions and is designed to assess the “acquisition of the requisite knowledge and skills that are taught in the” training program.³⁴

Each recruit must pass the examination with a minimum score of 66%,³⁵ because it has been determined that “a graduating trainee who cannot correctly respond to over 66% of the items on a final comprehensive exam should not be judged to be competent to adequately fulfill the awesome responsibilities of an Illinois police officer.”³⁶ The exam “is intended to assure that ill prepared recruits are not placed on the street where they might jeopardize themselves or others.”³⁷ If a recruit fails the exam, they can only re-sit a maximum of two additional times; recruits taking the examination through reciprocity can only re-sit once.³⁸

3. ILETSB’s Process for Issuing Certifications

Once an officer completes a basic training course and passes the certification examination, they are certified by ILETSB and a certification is issued. On May 11, 2021, the OEIG interviewed ILETSB [Identifying Information Redacted] [ILETSB Employee 1], who described the process ILETSB utilizes in issuing such certifications.³⁹ [ILETSB Employee 1] said that she began her employment with ILETSB in [Identifying Information Redacted], and has been in her current role since [Identifying Information Redacted].

According to [ILETSB Employee 1], private individuals cannot enroll themselves in a police basic training academy. Instead, [ILETSB Employee 1] said that recruits must be associated

³⁰ Guidelines for the Administration of the Law Enforcement Officers Certification Examination, Issued May 1, 1997; revised August 29, 2016, Cover Letter.

³¹ *Id.*

³² *Id.* at Section I.A.

³³ *Id.* at Section III.C.

³⁴ *Id.* at Cover letter.

³⁵ *Id.* at Section I.D.

³⁶ Justex Systems Inc Illinois Basic Police Training Validation Project – Report on Establishment of examination minimum passing score, September 1983.

³⁷ *Id.*

³⁸ Guidelines for the Administration of the Law Enforcement Officers Certification Examination, Issued May 1, 1997; revised August 29, 2016, Section IV. A.

³⁹ During his interview with OEIG investigators, ILETSB [Identifying Information Redacted] [ILETSB Employee 2] confirmed that the certification process is automated, and that [ILETSB Employee 1] is in charge of testing and is primarily responsible for processing exams and issuing the certifications. During their interviews with OEIG investigators, [ILETSB Employee 2], Mr. Fischer, and ILETSB [Identifying Information Redacted] [ILETSB Employee 3] corroborated the process detailed by [ILETSB Employee 1] that ILETSB utilizes to issue certifications.

with an employing police department and academy class to enroll in an academy.⁴⁰ [ILETSB Employee 1] said that ILETSB assigns a Police Training Board (PTB) number to all officers in the State when the officer is hired by a department and explained that the PTB ID number functions as a unique identifier for that officer in the ILETSB computer PTB database.

[ILETSB Employee 1] explained that only individuals who attend and pass a basic training course can sit for the certification examination and receive a certification if they pass the exam. [ILETSB Employee 1] said that officers in a part-time academy are also required to attend basic training and pass the certification exam to be certified by ILETSB.

[ILETSB Employee 1] said that police academies contact her when they are planning to conduct a certification exam because she is responsible for ensuring that a proctor is present to administer the certification exam using scantron sheets and exam booklets. [ILETSB Employee 1] explained that after an exam is administered, the proctors send the exam scantron sheets and a roster with each officer's training course grade to her. [ILETSB Employee 1] stated that once she is in possession of the scantron sheets and roster, she enters each officer's training course grade into a database. [ILETSB Employee 1] stated that she then scans the scantron sheets and grades the exams on her computer. [ILETSB Employee 1] clarified that she does not manually grade exams. Rather, [ILETSB Employee 1] explained that software on her computer populates the information from the scantron sheets and generates a pass certification or a failure letter for each officer that took the exam. [ILETSB Employee 1] stated that each scantron sheet has a PTB ID number associated with it, which is used to determine which scantron sheet belongs to which officer.

[ILETSB Employee 1] stated that once the grading software on her computer grades the exams, the software produces a list, which includes the names of all officers who took the exam and identifies who passed or failed. [ILETSB Employee 1] stated that she prints a copy of this list and prints all of the pass certifications and failure letters. [ILETSB Employee 1] stated that the pass certifications and failure letters are mailed to the police department associated with each officer.

[ILETSB Employee 1] stated that the process she described for taking and grading an exam, and notifying a department of an officer's exam result, has been in place since 1999, and she is the only employee at ILETSB that handles the final exam and certification process. [ILETSB Employee 1] reiterated that someone cannot receive a certification without attending and completing a basic training course and taking and passing the certification exam.

[ILETSB Employee 1] explained that ILETSB does not keep copies of certifications after they are sent to the officer's department. However, [ILETSB Employee 1] explained that there is a certification exam section for each officer in the PTB database that can be searched to determine whether a certification was issued.⁴¹

⁴⁰ [ILETSB Employee 1] said that the only exception to this is interns, who pay their own way through the police training academy.

⁴¹ According to [ILETSB Employee 1], the database includes the name of the department the officer worked for when they took the exam, the type of exam (Full-Time, Correctional, Part-Time) they took, the date the exam was taken, their exam score, and their "certificate number."

4. Waiver

As stated above, the Illinois Police Training Act requires all officers to complete a basic training course within a certain timeframe after they are hired by a department. Accordingly, when an individual is hired by a department, the department is required to either enroll the individual in a basic training course or request a waiver of the basic training requirement. When an officer who has received basic training makes a lateral transfer to a new department, or if an officer who received basic training in another state becomes employed by a department in Illinois, the new employing agency must still ensure those officers receive basic training or the department may request a waiver of the basic training requirement for that officer.

The ILETSB Executive Director may grant a waiver of basic training requirements set by the Board if, by reason of extensive prior experience as a law enforcement officer, the basic training requirement is illogical or unreasonable as applied to a specific individual.⁴² A waiver is generally granted if the officer has previously completed the basic training course, completed a similar basic training program in another state, or has extensive prior law enforcement experience.⁴³ According to internal ILETSB policy, in considering whether to grant such a waiver, no credit should be given for experience as an auxiliary police officer or for work experience gained after deferring or failing the basic training requirements. Moreover, before issuing a waiver, the Executive Director may require the applicant to take and successfully pass the Board's Equivalency Examination if, in reviewing the individual's prior experience and training, the Executive Director determines that there is a need for the applicant to demonstrate current knowledge of Illinois law and procedures.⁴⁴ In determining the need for an individual to take the Equivalency Exam in order to be granted a waiver, the Executive Director must consider the type and length of their prior experience as a law enforcement officer, prior certifications for training, and education.⁴⁵

In order to obtain a waiver, an employing police department must submit a Notice of Appointment/Separation (Form E) and complete the top portion of a one-page standard request for a waiver that is processed through the ILETSB PTB database. After a determination is made by ILETSB, the bottom portion of the waiver form is completed by ILETSB and mailed to the appropriate agency indicating that the waiver of the basic training requirement was either granted or denied for the officer at issue.

C. Funding by [Individual 1] for the Benefit of ILETSB

[Individual 1] serves as [Identifying Information Redacted] and [Identifying Information Redacted] of [Charitable Organization 1], a [Identifying Information Redacted] he started in 1999. Since 2001, [Charitable Organization 1] has provided approximately \$143.2 million dollars in support of public safety, which includes financial support to 115 local law enforcement agencies and volunteer fire departments.⁴⁶

⁴² 20 Ill. Admin. Code 1720.15(a).

⁴³ Memorandum of ILETSB Board Staff, April 24, 2000.

⁴⁴ 20 Ill. Admin. Code 1720.15(a).

⁴⁵ *Id.*

⁴⁶ See [Identifying Information Redacted] (last visited July 26, 2021).

Property Donation and \$15 Million Facility

On August 31, 2016, ILETSB entered into a real estate build-to-suit agreement (Agreement) with [Charitable Organization 1]. The Agreement contemplated conveying ownership of approximately five acres of land in Decatur, Illinois (Macon County) from [Charitable Organization 1] to ILETSB. The Agreement indicated that the conveyance of land would be made in connection with \$15 million dollars earmarked by [Charitable Organization 1] to design and build a multi-purpose law enforcement and criminal justice training center.⁴⁷ [Charitable Organization 1] agreed to pay all costs associated with the construction of the facility out of the \$15 million dollars earmarked for the project but retained control over all aspects of constructing the facility, including the selection of contractors. In return for the donation, ILETSB agreed that it would operate the facility “solely as a law enforcement and criminal justice training facility,” permit [Charitable Organization 1] to name the facility, and not transfer ownership or use of the property without [Charitable Organization 1]’s approval.⁴⁸

On November 14, 2016, a special warranty deed was executed conveying the property from [Charitable Organization Associated Entity 1]/[Charitable Organization Associated Entity 2] — entities directly linked to [Charitable Organization 1]⁴⁹—to ILETSB for \$10.00.

On August 8, 2017, ILETSB entered into an intergovernmental agreement with Richland Community College for the operation of a Basic Law Enforcement Academy on the property donated by [Charitable Organization 1]—now an approximately 46,000 square foot training center named the Macon County Law Enforcement Training Center. Under the agreement, Richland Community College would operate and manage the academy, using a curriculum meeting ILETSB’s standards. In October 2017, [Charitable Organization 1] turned over full control of the Macon County Law Enforcement Training Center to ILETSB, per the real estate build-to-suit agreement. The real estate build-to-suit agreement, warranty deed, and intergovernmental agreement were signed on behalf of ILETSB by Mr. Fischer. [Individual 2] signed the real estate build-to-suit agreement and warranty deed for [Charitable Organization 1].

In April and July 2019, and April and May 2020, there were several expansions to the Macon County Law Enforcement Training Center that were funded by [Charitable Organization 1], including the addition of a Law Enforcement/Fire Tower, Dive/Rescue Pond, and Grain Safety and Rescue Building.

⁴⁷ See [Identifying Information Redacted] (last visited July 26, 2021).

⁴⁸ The Illinois Procurement Code indicates that nothing in the “Code shall prevent any State agency from complying with the terms and conditions of any grant, gift, or bequest that calls for the procurement of a particular good or service or the use of a particular vendor, provided that the grant, gift, or bequest provides majority funding for the contract.” See 30 ILCS 500/20-95. Additionally, while the State Officials and Employees Ethics Act Gift Ban provisions prohibits any “officer, member, or State employee [from] intentionally solicit[ing] or accept[ing] any gift from any prohibited source,” 5 ILCS 430/10-10, Executive Order 15-09 specifically indicates that “[g]ifts, including but not limited to grants and monetary or in-kind donations, from any source to the State of Illinois are excluded from the statutory gift ban and this section.”

⁴⁹ During his interview with OEIG investigators, [Individual 1] confirmed [Charitable Organization Associated Entity 1], [Charitable Organization Associated Entity 2], and [Charitable Organization Associated Entity 3] are affiliates of [Charitable Organization 1].

\$1.00 Lease for Bolek Training Center in Decatur, Illinois

In April 2019, ILETSB entered into a lease with the [Charitable Organization Associated Entity 3] —a [charitable organization] directly linked to [Charitable Organization 1]⁵⁰—for a training and instruction building in Decatur, Illinois known as the Bolek Training Center. The lease term was three years beginning July 1, 2019 with annual rent of \$1.00. Mr. Fischer signed the lease on behalf of ILETSB and [Individual 2] signed as [Identifying Information Redacted] of [Charitable Organization Associated Entity 3].

Requests from Brent Fischer and ILETSB

Following requests from Mr. Fischer, in addition to the donations referenced above, [Charitable Organization 1] provided \$250,000 in transition costs and \$330,000 in instructor salaries for Richland Community College and provided two vehicles for the startup of the Macon County Law Enforcement Training Center.

In his interview with OEIG investigators, [Individual 1] acknowledged that in April 2017, Mr. Fischer and then-ILETSB [Identifying Information Redacted] [ILETSB Employee 3] requested a \$275,000 donation but said that he declined to provide the requested funds. The OEIG reviewed emails confirming the \$275,000 request and Mr. Fischer's acknowledgment of [Individual 1]'s refusal.⁵¹ During his interview with OEIG investigators, [Individual 1] stated that he could not recall what the \$275,000 donation would have been used for, but said that it must have been for ILETSB because he was never asked for anything for someone's personal benefit. The emails reviewed by investigators also did not reveal the purpose of the \$275,000 requested donation.

On June 11, 2018, then-ILETSB [Identifying Information Redacted] [ILETSB Employee 4] sent a letter—approved by Mr. Fischer⁵²—to [Individual 1] requesting funding assistance for the restructuring of the annual canine compliance program. Specifically, ILETSB sought \$10,000 to be used for the purchase of equipment necessary to build and resupply drug containers that would be used during the canine recertification process around the State. On June 14, 2018, [Individual 2] sent ILETSB a check for \$10,000 from [Charitable Organization 1] for the annual canine compliance program. On January 11, 2019, [ILETSB Employee 5], [Identifying Information Redacted], sent an email to [Individual 2] stating that “they” had finally figured out how to deposit the check so that “it can be spent accordingly.” On July 3, 2019, however, ILETSB

⁵⁰ [Individual 1] is listed as the [Identifying Information Redacted] of [Charitable Organization Associated Entity 3]. Additionally, [Individual 2] is listed as the [Identifying Information Redacted], and the company address is the same as the registered address for [Charitable Organization 1].

⁵¹ In an email dated April 27, 2017, from [Individual 1] to Mr. Fischer, [ILETSB Employee 3], then-Macon County Sheriff [Sheriff 1], and [Individual 2], discussing other donations, [Individual 1] said, “[ILETSB Employee 3], [Individual 2] said with your talents she was sure you could find the \$275,000 somewhere!! I think she had several ideas in mind.....” In response, on April 29, 2017, Mr. Fischer said “In reference to the \$275,000 we appreciate and understand your situation!”

⁵² OEIG investigators reviewed emails between [ILETSB Employee 4] and Mr. Fischer from June 8, 2018, wherein [ILETSB Employee 4] requested feedback on the letter to [Individual 1] with Mr. Fischer giving [ILETSB Employee 4] permission to send the request.

sent the voided \$10,000 check back to [Individual 2] on behalf of [Charitable Organization 1], explaining that the agency did not have a gift account set up and could not guarantee the funds would be properly spent if the money was deposited into ILETSB's other account.

D. [Individual 1]'s Law Enforcement Positions

Macon County, Illinois

[Individual 1] has served in several law enforcement positions in Macon County including the following:

- part-time Auxiliary Deputy from 2012 to 2017;⁵³
- appointed Sheriff from September 15, 2017 to November 30, 2018; and
- Undersheriff from December 2018 to March 2020.

The Macon County Sheriff's Office website listed [Individual 1] as having been certified by ILETSB as a Part-Time Law Enforcement Officer in January 2019.⁵⁴

Christian County, Illinois

In February 2020, [Individual 1] was appointed as a part-time Deputy in the Christian County Sheriff's Office.

Cochise County, Arizona

[Individual 1] has worked as a Volunteer Deputy in Cochise County, Arizona since 2013.⁵⁵

E. ILETSB's Records Regarding [Individual 1]

Documents show that on December 4, 2018, the Macon County Sheriff's Office submitted an application to ILETSB for a waiver of the part-time basic training requirement for [Individual 1] so that he could be employed by the department as a part-time undersheriff.⁵⁶ ILETSB received four letters of support for [Individual 1]'s waiver application from then-Macon County Sheriff

⁵³ Auxiliary police officers are not members of the regular police department of a municipality and generally may only be assigned to aid or direct traffic within the municipality they work for, aid in control of natural or manmade disasters, and aid in case of civil disorder as directed by the chief of police. In fact, auxiliary police must wear identification different and distinct from those used by members of the regular police department, and generally are not permitted to carry guns. 65 ILCS 5/3.1-30-20. The Police Training Act's training requirements for law enforcement officers do not apply to auxiliary officers.

⁵⁴ See [Identifying Information Redacted] (last visited June 16, 2021).

⁵⁵ See [Identifying Information Redacted] (last visited May 19, 2021).

⁵⁶ [Individual 1] began serving as Undersheriff in the Macon County Sheriff's Office in December 2018 and had 18 months from that date to obtain a certification or waiver from ILETSB.

[Sheriff 2], Sheriff-elect of Macon County [Sheriff 3], Chief of Police of Decatur [Chief of Police 1], and one signed by seven Lieutenants from the Macon County Sheriff's Office.⁵⁷

Documents produced by ILETSB indicate that [Individual 1] never attended a basic training course, sat for a certification exam, or attended a basic training course in a different jurisdiction. Similarly, a copy of the ILETSB PTB database printout for [Individual 1] shows a list of training courses he attended,⁵⁸ but does not list basic training; additionally, "no records available" is listed under his Certified Exam History.

The basic training course prescribed by ILETSB requires approximately 560 hours of instruction on specific topics. ILETSB produced a written comparison completed by ILETSB [Identifying Information Redacted] [ILETSB Employee 2] in December 2018 of the requirements of the basic training course and the trainings completed by [Individual 1] that concluded that at the time of [Individual 1]'s waiver request, he had completed approximately 232 hours of instruction. Emails indicate that ILETSB thereafter provided [Individual 1] with a list of mandatory requirements and recommended training courses he should complete in his pursuit of a waiver of the basic training requirement. On December 14, 2018, [Individual 1] emailed Mr. Fischer indicating that he had completed the recommended training courses. Documents produced by ILETSB indicate that [Individual 1] completed an additional 96 training hours before being approved for the waiver; thus according to ILETSB records, he had completed approximately 328 hours of instruction by January 11, 2019.⁵⁹

F. January 11, 2019

1. Email Regarding \$10,000 Donation from [Individual 1]

As noted above, on June 14, 2018, [Individual 2] sent ILETSB a check for \$10,000 from [Charitable Organization 1] for the annual canine compliance program.⁶⁰ On January 11, 2019, at

⁵⁷ The letters asked that [Individual 1]'s training and experience be found a sufficient basis upon which to waive the basic training requirement for [Individual 1] so he could continue work with the Macon County Sheriff's Office. The letters mostly focused on the largest portion of [Individual 1]'s law enforcement experience that occurred between 2012 to 2017, when he worked as an Auxiliary Deputy in Macon, Shelby, and Christian Counties, even though internal ILETSB guidance states that no credit should be given for experience as an auxiliary police officer when considering whether to grant a waiver.

⁵⁸ ILETSB also produced a Training History Report for [Individual 1] which shows that he attended at least 18 separate training courses from 2016 to 2021, including trainings on topics such as child abuse and neglect, officer stress management, enforcing Illinois cannabis laws, fundamentals of investigation, and law for police. The report also indicates that [Individual 1] completed mandatory firearms training. However, there is no indication on the report that he attended basic training.

⁵⁹ During this investigation, [Individual 1] provided a chronological list of his training and certifications, which asserts that he completed 718 training hours between 2012 and January 11, 2019. ILETSB did not have record of all of the trainings he listed, some of which occurred in other jurisdictions including firearms qualifications in Utah, Arizona, and Nebraska, and two 40-hour trainings in Scotland. While the trainings [Individual 1] included on his list covered a variety of topics like hostage/barricade subjects, human trafficking, police citizen relations, mental health, body camera, and high-risk felony stops, 376 hours of the 718 hours (or 40 of the 104 training courses) [Individual 1] listed were for firearms qualifications or trainings. Moreover, during her interview with investigators, [ILETSB Employee 5] explained that training courses that are not state certified are not updated in the PTB database.

⁶⁰ The OEIG did not uncover evidence of this donation until after Mr. Fischer, [ILETSB Employee 3], [ILETSB Employee 2], and other ILETSB staff had been interviewed by OEIG investigators. Accordingly, they were not

10:47 a.m., [Identifying Information Redacted] [ILETSB Employee 5] sent an email to [Individual 2] stating the following:

Director Fischer asked me to send this off to you today. They have finally figured out how/where to deposit the check so that it can be spent accordingly. (Money has actually already been mostly spent, but the check has been sitting here until our financial people could work out how to receive the funds without causing any problems.)

Included with the email was the acknowledgment of the \$10,000 charitable contribution for the canine program.⁶¹

2. Waiver Approved for [Individual 1]

Three hours later, at 1:47 p.m. on January 11th, [ILETSB Employee 5] emailed a letter from Mr. Fischer to [Sheriff 2] granting the waiver request for [Individual 1]. The letter indicated that ILETSB granted the waiver request due to [Individual 1]’s “unique set of experience and skills,” and referenced, as an example, his “serving as an auxiliary deputy in both Illinois and Arizona.” The letter also cautioned that the “approval is not to set a precedence for all future cases.” Under the “reason granted” section in the ILETSB PTB database Training Waiver Report for [Individual 1], “Had Basic Training” was selected and a note was added indicating “certification granted.” [Individual 1] served as a part-time Undersheriff in Macon County until March 2020 under this waiver.

3. Certification Given to [Individual 1]

Also dated January 11, 2019, Mr. Fischer’s signature appears on a copy of a certification seemingly certifying [Individual 1] as a part-time law enforcement officer. During this investigation, the OEIG obtained a copy of this certification that was provided to [Individual 1].⁶²

The OEIG also obtained sample certifications from ILETSB that were issued in 2019. Each law enforcement officer certification issued in 2019 by ILETSB is a one-page document that contains the State seal and indicates that the certification is awarded in recognition that the named individual fulfilled the requirements of 50 ILCS 705 to qualify as a full-time or part-time law enforcement officer. Each certification also contains a witness clause, the signature of ILETSB’s

questioned about this donation; while they each mentioned [Individual 1]’s donation of property and larger sums of money during their interviews, none mentioned the \$10,000 check for the canine recertification program.

⁶¹ Emails reviewed by OEIG investigators from July 2019, indicate that ILETSB was ultimately unable to cash the \$10,000 donation check and returned the voided check to [Charitable Organization 1]. During her OEIG interview, [ILETSB Employee 5] said that she did not remember what might have been “figured out” to deposit the funds and confirmed that ILETSB was ultimately unable to deposit the donation.

⁶² Attached to this report is an appendix containing [Individual 1]’s certification and another, properly issued, part-time law enforcement officer certification issued in 2019 for comparison purposes. Please note, the name on the properly issued certification has been redacted and, although the sample certification is dated 2021, that is the date of printing and the certification was actually issued in 2019. Additionally, both the “certificate number” and PTBID have been redacted on all of the certifications with only the beginning digits—the year and 65—remaining.

current Executive Director, and the signature of ILET SB's current Board Chairman.⁶³ The awardee's name also appears on the certification along with the date of printing, the "certificate number," and the individual's PTB ID number as maintained in the ILET SB PTB database.

There were at least two significant differences on the certification given to [Individual 1]. First, standard certifications issued by ILET SB in 2019 for part-time law enforcement officers cite chapter 50 paragraph 705 of the Illinois Compiled Statutes, the general statute section relevant to both full-time and part-time officer qualifications. While [Individual 1]'s certification indicated it was for a part-time officer, it cited Section 705/8.1 of Chapter 50 of the Illinois Compiled Statutes, the statute section relevant to full-time officers. Additionally, when shown a copy of [Individual 1]'s certification by OEIG investigators during her interview, [ILETSB Employee 1] said that the certification looks similar to the other template certifications she has made.⁶⁴ However, [ILETSB Employee 1] explained that typical certifications list an awardee's "certificate number," which is a unique number automatically generated by the PTB system when an exam is graded.⁶⁵ [ILETSB Employee 1] indicated that [Individual 1]'s certification listed [Individual 1]'s PTB ID number in the "Certificate Number" section instead of an actual "certificate number."

G. Interviews Regarding [Individual 1]'s Waiver and Certification

OEIG investigators interviewed several ILET SB staff and a board member who were involved in or were aware of the waiver and certification issued to [Individual 1] on January 11, 2019, including ILET SB Executive Director Brent Fischer, who ultimately granted [Individual 1]'s waiver and issued his certification.

1. Interview with ILET SB [Identifying Information Redacted] [ILETSB Employee 1]

[Individual 1]'s Waiver

During her OEIG interview, [ILETSB Employee 1] stated that she generally processes and approves standard waiver requests but said that waiver requests that are more complicated ultimately go to Mr. Fischer. As an example, [ILETSB Employee 1] said that sometimes, Mr. Fischer would approve a waiver with conditions, such as in the case of individuals who completed basic training but had been out of law enforcement for three or more years and therefore are required to complete a 115-hour Law for Police course as a condition of the waiver.

⁶³ During his OEIG interview, [ILETSB Employee 2] said that the electronic signatures of the Executive Director and Chairman of the Board are auto populated on the certifications and there is no formal process for these two individuals to approve the certifications on an individual basis.

⁶⁴ During her OEIG interview, [ILETSB Employee 1] explained that she has a Microsoft Word certification template saved on her computer drive that she received when she started handling the certification process in 1999, which she said she had used twice to create duplicate previously-issued certifications in unusual circumstances.

⁶⁵ During his OEIG interview, [ILETSB Employee 2] explained that in 2019, "certificate numbers" reflected a four-digit year as the first numbers of the certification. Regarding the "certificate number" reflected on [Individual 1]'s certification, [ILETSB Employee 2] confirmed that this number is [Individual 1]'s database PTB ID, not a real "certificate number" affiliated with [Individual 1]. [ILETSB Employee 2] added that all PTB ID numbers begin with "65."

[ILETSB Employee 1] confirmed that Mr. Fischer made the final decision regarding [Individual 1]’s waiver. [ILETSB Employee 1] stated that she could not recall an instance, other than for [Individual 1], when a waiver was granted for an officer who had not completed a basic training course and passed a certification exam.⁶⁶

[Individual 1]’s Certification

[ILETSB Employee 1] confirmed that [Individual 1] had not attended a basic training course nor taken the certification exam. [ILETSB Employee 1] stated that she did not search the PTB database to see if a certification had been appropriately issued to [Individual 1] because she knew [Individual 1] did not have a certification since a waiver was approved for [Individual 1], waiving the basic training course for him for a part-time position.

2. Interview with ILETSB [Identifying Information Redacted] [ILETSB Employee 2]

On May 7, 2021, OEIG investigators interviewed ILETSB [Identifying Information Redacted] [ILETSB Employee 2]. [ILETSB Employee 2] said that he has served in his position since [Identifying Information Redacted], but has worked for ILETSB since [Identifying Information Redacted].

[Individual 1]’s Waiver

[ILETSB Employee 2] explained that any time an officer transfers to a new agency, the new employing agency has the duty to either retrain the officer or request a waiver of the basic training requirement. [ILETSB Employee 2] said that ILETSB processes approximately 1,000 to 2,000 waiver requests per year. Ultimately, [ILETSB Employee 2] said that any waiver issued by ILETSB waives the statutory basic training requirement for that individual during the course of their employment with the requesting agency. [ILETSB Employee 2] said that when an individual leaves a position, any authority associated with their waiver is terminated, and if the individual obtains employment elsewhere, a new waiver will need to be requested. [ILETSB Employee 2] said that previously attending basic training is generally the reason a waiver is approved, but sometimes the justification could be that the individual had extensive training or out of state training.

[ILETSB Employee 2] said that reviewing waiver reports is a standard item on ILETSB’s quarterly board meeting agendas. [ILETSB Employee 2] said that all the individuals who have received “preliminary” approval of a waiver from Mr. Fischer are listed on a waiver report that is presented to the Board. [ILETSB Employee 2] said that each list usually contains between 200

⁶⁶ The OEIG requested from ILETSB “A copy of all approved Waivers and accompanying letters (if applicable) issued to individuals that had not completed the Minimum Standards Basic Law Enforcement Officers Training Course or the part-time police training course as prescribed by ILETSB or a substantially similar training program of another state or federal government.” In response, ILETSB [Identifying Information Redacted] and [Identifying Information Redacted] [ILETSB Employee 6] indicated that after a search of records, ILETSB was unable to find any documents responsive to the request, aside from the waiver approved for [Individual 1].

and 400 names, depending on how many requests were received within the preceding three-month period.

Regarding the waiver request for [Individual 1], [ILETSB Employee 2] said that it was identified “right away” as being unique. [ILETSB Employee 2] explained that to work as a law enforcement officer in Illinois, anyone presenting out of state credentials must still have a certification regarding the completion of a basic training academy. [ILETSB Employee 2] said that he and ILETSB [Identifying Information Redacted] and [Identifying Information Redacted] [ILETSB Employee 6] conducted a comparison between the Illinois basic training requirements and the training courses [Individual 1] had completed in Illinois and Arizona. [ILETSB Employee 2] said that there were several areas of [Individual 1]’s training that were covered in a basic training academy, but in general, the number of hours he completed were significantly less than the hours an individual would complete in a basic training course.

[ILETSB Employee 2] said that the analysis of [Individual 1]’s training hours was ultimately provided to Mr. Fischer for his review. According to [ILETSB Employee 2], he told Mr. Fischer of ILETSB’s protocol and past practice of not ever allowing the issuance of a waiver to an out of state individual without having met the major basic training course requirements. [ILETSB Employee 2] said that he also advised Mr. Fischer that the request for [Individual 1]’s waiver was a sensitive matter, and he advised Mr. Fischer to consider informing the ILETSB Board that [Individual 1] was on the waiver list. [ILETSB Employee 2] said that Mr. Fischer ultimately prescribed further training coursework for [Individual 1] as a condition of the waiver, but made the decision to approve the waiver for [Individual 1]. [ILETSB Employee 2] said that the approval was documented on the list of waivers, which went before the ILETSB Board and was subsequently approved by the Board in March 2019. However, [ILETSB Employee 2] said that he attended the Board meeting where the list of waivers that included [Individual 1]’s name was presented to the Board and Mr. Fischer did not specifically highlight [Individual 1]’s request.⁶⁷

[Individual 1]’s Certification

[ILETSB Employee 2] confirmed that only individuals who attend and pass a basic training course and certification examination can receive a certification. [ILETSB Employee 2] explained that the authority awarded to a law enforcement officer under full-time or part-time certifications is identical and that the only difference between the full-time and part-time certifications issued by ILETSB is the time allowed to complete the required training. [ILETSB Employee 2] confirmed that [Individual 1] had not attended a basic training course nor taken the certification exam.

⁶⁷ The meeting minutes from the March 2019 Quarterly Board Meeting confirm that the Waiver Disposition Quarterly Report was considered by the Board. [Individual 1]’s name appeared on this report. However, there was no mention in the meeting minutes of [Individual 1] and the Board’s consideration of the report simply consisted of the following: “Chairman [ILETSB Board Member 1] asked for approval of the waiver report. Motion was made by [ILETSB Board Member 2], seconded by [ILETSB Board Member 3], and carried by all members present to approve the waiver disposition quarterly report.”

[ILETSB Employee 2] said that when [Individual 1] was appointed Macon County Sheriff,⁶⁸ an informal request was made to ILETSB requesting certification documentation for [Individual 1]. [ILETSB Employee 2] did not know who made the request, but said that he discussed the request with Mr. Fischer and informed Mr. Fischer that [Individual 1] had not passed the required exam and was therefore not eligible to obtain a certification. [ILETSB Employee 2] said that he also “warned,” or at least addressed with Mr. Fischer, that given the relationship [Individual 1] had with ILETSB—having made significant donations of property and funds to ILETSB—any formal verification of his qualifications as a law enforcement officer should be handled carefully due to the potential appearance of impropriety. [ILETSB Employee 2] said that Mr. Fischer acknowledged the warning, but asked if ILETSB could “get [[Individual 1]] a certificate.” [ILETSB Employee 2] said he told Mr. Fischer that ILETSB could not give [Individual 1] a certification and added that, at the most, ILETSB could entertain a waiver request but even that should be considered very carefully. [ILETSB Employee 2] said that he also conducted research related to this request and drafted a document indicating that, at that time, there was no training requirement for a person serving as sheriff so there was no need for ILETSB to issue a certification or waiver for [Individual 1].⁶⁹

3. Interview with ILETSB Executive Director Brent Fischer

On May 18, 2021, OEIG investigators interviewed ILETSB Executive Director Brent Fischer. Mr. Fischer said that he has been in his position since January 2016, and reports directly to the Board. Mr. Fischer said that he is responsible for ensuring that all statutory duties and responsibilities of ILETSB are carried out, including things like reviewing and approving academy curriculums, in-service training, and specialized trainings.

Mr. Fischer said that ILETSB is responsible for deciding if individuals meet the requirements to perform the duties of a law enforcement officer and that decision is made based on one of two things: attending an academy and passing a certification exam or obtaining a waiver. Mr. Fischer stated that ILETSB is responsible for overseeing the certification exam given to recruits at the completion of an academy, and said [ILETSB Employee 1] oversees the certification process.

Mr. Fischer said that he has known [Individual 1] for approximately six years and that he considers [Individual 1] a friend. Mr. Fischer opined that ILETSB has benefitted from having a good relationship with [Individual 1].

[Individual 1]’s Waiver

Mr. Fischer stated the waiver request for [Individual 1] was considered a unique request because he had never completed basic training or passed the certification exam, but had served as Sheriff of Macon County for 14 months. Mr. Fischer stated that [Individual 1] proactively attended various trainings and submitted training records with the waiver request. Mr. Fischer stated that

⁶⁸ Although [ILETSB Employee 2] said in his interview that the request came to ILETSB when [Individual 1] was appointed Sheriff in 2018, [Individual 1] was actually appointed September 15, 2017 and served in that role until November 30, 2018.

⁶⁹ ILETSB produced the relevant document, dated December 20, 2017.

people also lobbied for [Individual 1] to be granted a waiver, which he called unique and rare. Mr. Fischer confirmed that [ILETSB Employee 2], and maybe others, reviewed the number of training hours and experience [Individual 1] had in comparison to the approximately 560 hours of basic training received while attending an academy. Mr. Fischer stated that he did not recall how many hours of training [Individual 1] had completed, but recalled it was comparable enough to approve his waiver. Mr. Fischer stated that he did not recall any disagreement with ILETSB legal staff related to his decision to approve [Individual 1]’s waiver request.

Mr. Fischer stated that he could not recall any other instance in which he granted a waiver request based on previous training and experience. Mr. Fischer stated that he could not recall any other instances where he approved a waiver request for someone who had never attended a basic training course. Mr. Fischer stated that he did not recall bringing to the Board’s attention that he was granting a waiver for [Individual 1], even though [Individual 1] had not attended a basic training course, nor did Mr. Fischer recall informing anyone on the Board that a waiver request was submitted on [Individual 1]’s behalf.

Mr. Fischer stated he made the decision to approve the waiver request for [Individual 1] because of several factors: (1) [Individual 1] served as the Macon County Sheriff for 14 months; (2) [Individual 1] provided training records; (3) several people had lobbied for him to be granted a waiver; and (4) [Individual 1] had done a lot for the law enforcement community. Mr. Fischer opined that [Individual 1] had stepped up for the law enforcement community, has been a “true friend,” wants to be involved in improving professionals in law enforcement, and has helped tremendously by providing resources to the law enforcement community to better train law enforcement in crisis intervention and canine matters, among other things. Mr. Fischer confirmed that [Individual 1] also provides resources for the training academy in Decatur that [Individual 1] built. Mr. Fischer said that the law enforcement community does not have too many friends right now, but opined that [Individual 1] is one of them.

Mr. Fischer said that it is not typical, when deciding to grant a waiver, to consider factors such as how the individual has financially supported the law enforcement community with donations like [Individual 1] had. Mr. Fischer said that while it may look like [Individual 1] paid for a waiver or certification that he was not qualified for, [Individual 1] has truly been engaged and dedicated to the law enforcement community.

[Individual 1]’s Certification

According to Mr. Fischer, ILETSB typically does not generate certifications outside of the normal process. However, Mr. Fischer said that [Individual 1]’s certification was not generated in the “typical” manner. Instead, Mr. Fischer stated that he had to ask [ILETSB Employee 1] to make a certification for [Individual 1] because [Individual 1] had not attended an academy and had not taken and passed a certification exam to earn a certification. Mr. Fischer stated that [ILETSB Employee 1] used a certification template and needed to type [Individual 1]’s name and other information onto the certification because it was not generated in the usual manner.⁷⁰

⁷⁰ During her interview with OEIG investigators, [ILETSB Employee 1] said she does not recall making a certification for [Individual 1]. [ILETSB Employee 1] said she believes she is the only individual that has a certification template on her computer. [ILETSB Employee 1] clarified that she is not saying that she did not create a certification for

According to Mr. Fischer, he and [ILETSB Employee 3] met [Individual 1] in-person and handed the certification to [Individual 1]. Mr. Fischer stated that he did not recall the date or location he provided the certification to [Individual 1]. Mr. Fischer said that he did not have a meeting with the Board or present [Individual 1]’s certification to the Board for their approval.

Mr. Fischer said that he gave an ILETSB part-time law enforcement officer certification to [Individual 1] because [Individual 1] asked him for one. Although Mr. Fischer confirmed that [Individual 1] never attended an academy or passed a certification exam, Mr. Fischer said he felt that [Individual 1] deserved a certification for all he has done for law enforcement.⁷¹ Mr. Fischer said he gave [Individual 1] the certification as an honorary degree, saying that it was just a symbolic or ceremonial certification intended as a “gesture of appreciation.”

Mr. Fischer stated that he did not recall if he informed [Individual 1] that the certification was not valid and only intended as an honorary certification. Mr. Fischer stated that he did not know if [Individual 1] knew that the certification was not generated the typical way or if [Individual 1] was aware of the usual process for obtaining a valid certification.

Mr. Fischer stated that it was probably inappropriate to give [Individual 1] a certification because it was misleading, especially if [Individual 1] believed the certification was legitimate, but that it was Mr. Fischer’s way of saying thank you to [Individual 1] for all he had done for law enforcement. Mr. Fischer stated that he could not recall any other instances where he gave someone an honorary, ceremonial, or symbolic certification.

4. Interview with ILETSB [Identifying Information Redacted] [ILETSB Employee 3]

On June 8, 2021, OEIG investigators interviewed then-ILETSB [Identifying Information Redacted] [ILETSB Employee 3].⁷² [ILETSB Employee 3] said that he had been in his position since [Identifying Information Redacted], and reported directly to Mr. Fischer. [ILETSB Employee 3] said that he was responsible for overseeing the operations of ILETSB, which includes financial matters, personnel matters, and special projects.

[ILETSB Employee 3] confirmed that one of the functions of ILETSB is determining whether individuals meet the requirements to perform the duties of a law enforcement officer in Illinois. [ILETSB Employee 3] stated that he is generally not involved in any certification matters but said he was somewhat familiar with the certification process, explaining that an individual can become a certified law enforcement officer in the State by attending and passing an academy and

[Individual 1], but she does not recall making a certification for him and has no record of ever doing so. During her interview with investigators on July 23, 2021, [Identifying Information Redacted], [ILETSB Employee 5], also indicated that she did not remember making the certification and said that she did not even know how a certification could be created outside the normal process.

⁷¹ OEIG investigators reviewed Mr. Fischer’s email contents from December 1, 2015 through June 2021 for all messages containing “[Identifying Information Redacted]” or “[Identifying Information Redacted],” among other relevant terms, but found no indication that Mr. Fischer requested or received any personal gifts or payments from [Individual 1] or [Charitable Organization 1].

⁷² [ILETSB Employee 3] informed investigators that [Identifying Information Redacted].

passing a certification exam. [ILETSB Employee 3] stated that he did not believe that [Individual 1] attended a police academy or sat for a certification exam. [ILETSB Employee 3] stated that he did not recall any instances, other than [Individual 1]’s, in which a waiver was granted to an individual that had not attended an academy.

[ILETSB Employee 3] stated that he was aware that Mr. Fischer gave [Individual 1] a certification. [ILETSB Employee 3] explained that approximately two years ago, he visited the Macon County Law Enforcement Training Center with Mr. Fischer and met with [Individual 1]. [ILETSB Employee 3] said he did not remember for sure when the visit occurred. [ILETSB Employee 3] said that prior to their visit, Mr. Fischer informed him that Mr. Fischer had a keepsake certification made for [Individual 1].

[ILETSB Employee 3] said he did not know whether [Individual 1] asked Mr. Fischer for a certification or why Mr. Fischer gave [Individual 1] a certification. [ILETSB Employee 3] stated that he was not aware of anyone else being aware of [Individual 1]’s certification at the time that Mr. Fischer provided him with the certification, and said that [Individual 1], Mr. Fischer, and himself were the only individuals present when Mr. Fischer gave [Individual 1] the certification. [ILETSB Employee 3] stated that from what he could recall, Mr. Fischer said something to the effect of “here is something you can put on your wall” when he gave the certification to [Individual 1]. [ILETSB Employee 3] stated that he thought Mr. Fischer may have used the term “honorary” and assumed that [Individual 1] understood at the time that the certification was not valid.

[ILETSB Employee 3] confirmed that the certification given to [Individual 1] indicated that [Individual 1] fulfilled all the requirements and was qualified as a part-time law enforcement officer. [ILETSB Employee 3] said he did not see anything on the certification that indicated it was honorary or ceremonial. [ILETSB Employee 3] stated that he could not say for certain that Mr. Fischer informed [Individual 1] that the certification was only honorary.

[ILETSB Employee 3] estimated that [Individual 1] has contributed approximately \$60 million for law enforcement training facilities and academies, and said that “if giving [[Individual 1]] a BS paper to throw on the wall, I have no problem with that.” [ILETSB Employee 3] said that the certification could be viewed as a “thank you for what you’ve done” for law enforcement. [ILETSB Employee 3] clarified that there was no problem with awarding [Individual 1] an honorary certification, as long as [Individual 1] knew it was honorary.

H. The Use of [Individual 1]’s Invalid Certification

On the Macon County Sheriff’s Office website, where it described [Individual 1]’s experience, it stated that [Individual 1] was certified by ILETSB as a Part-Time Law Enforcement Officer in January 2019.⁷³

Additionally, when applying for a waiver for [Individual 1] in February 2020, of the part-time basic training requirement, the Christian County Sheriff’s Office submitted a Notice of Appointment form indicating that [Individual 1] had completed the law enforcement LETSB

⁷³ See [Identifying Information Redacted] (last visited June 16, 2021).

certified part-time basic training course, based on the certification dated January 11, 2019, provided to [Individual 1].⁷⁴

The OEIG also requested documentation from Cochise County Sheriff's Office in Arizona supporting [Individual 1]'s law enforcement work for Cochise County Sheriff's Office. In response, the Cochise County Sheriff's Office provided documents including the January 11, 2019 ILETSB certification generated by Mr. Fischer.⁷⁵

I. Interview with [Individual 1]

On July 12, 2021, OEIG investigators interviewed [Individual 1]. [Individual 1] confirmed that he has served in various capacities with several different law enforcement agencies over the years. [Individual 1] stated that he has attended numerous law enforcement trainings, including trainings held at law enforcement academies, but has never attended, nor completed, the law enforcement basic training course, including an ILETSB certified part-time basic training course or ILETSB certified law enforcement basic training course. [Individual 1] stated that he has never attended a law enforcement academy as a recruit, nor has he ever taken a certification examination.⁷⁶

[Individual 1] stated that he did not recall when he was first introduced to Mr. Fischer, but it was sometime while Mr. Fischer was working as ILETSB's Executive Director. [Individual 1] stated that Mr. Fischer was involved in the discussions regarding donations [Charitable Organization 1] made to ILETSB, including the Macon County Law Enforcement Training Center, funds, and vehicles to run that facility, the Bolek building, and others. [Individual 1] estimated that he had lunch with Mr. Fischer once every few months. [Individual 1] stated that Mr. Fischer has asked him several times for additional donations for the Macon County Law Enforcement Training Center and has asked him at least six times to build something in Springfield but his answer was "no." [Individual 1] stated that he is asked frequently to support causes and he expects to receive a proposal related to the cause and then he discusses it with the [Charitable Organization 1] Board. [Individual 1] stated that Mr. Fischer never provided any proposals or plans for a building in Springfield.

[Individual 1] stated that Mr. Fischer has never asked him, or anyone representing him, for anything to personally benefit Mr. Fischer. [Individual 1] stated that neither he, nor anyone on his

⁷⁴ The OEIG obtained two recent letters to ILETSB Acting Director Keith Calloway from Christian County Sheriff [Sheriff 4]. The first letter, dated July 6, 2021, sought a waiver of the minimum standard basic training requirement for [Individual 1]. The second letter, dated July 21, 2021, after [Individual 1]'s interview with OEIG investigators, indicated that [Sheriff 4]'s office planned to withdraw the February 2020 waiver request for [Individual 1] because it was submitted under the impression that [Individual 1]'s 2019 certification was valid and appropriately issued, and resubmit a new request for waiver request for [Individual 1] based instead on his "extraordinary record of law enforcement training and experience."

⁷⁵ See [Identifying Information Redacted] (last visited June 29, 2021). The OEIG also requested documents for [Individual 1] from the Arizona Police Training Board, Arizona's ILETSB equivalent, which indicated that it did not possess any records related to [Individual 1]. However, [Sheriff 5], the Sheriff of Cochise County in Arizona, informed investigators that he deputized [Individual 1] based, at least in part, on [Individual 1]'s status as Sheriff in Macon County and the waiver issued by ILETSB in January 2019.

⁷⁶ [Individual 1] stated that he took a certification test in 2012 to become an Auxiliary Deputy but acknowledged that test was different than the exam given at the conclusion of passing the academy.

behalf, has ever offered or given anything personally benefitting to Mr. Fischer, or to any other State of Illinois employee, official, or agency in exchange for something to benefit himself.

[Individual 1]'s Waiver

[Individual 1] confirmed that his appointment as Macon County Sheriff expired on November 30, 2018. [Individual 1] said that prior to his appointment expiring, he spoke with both candidates that were running for Macon County Sheriff and both informed him that they wanted him to work as their Undersheriff.

[Individual 1] stated that at some point, in either the summer or early fall of 2018, he learned that he could obtain a waiver to remain in law enforcement. According to [Individual 1], Mr. Fischer informed him that [Individual 1] would need to have a waiver request submitted on his behalf and would need to complete approximately 140 hours of training. [Individual 1] stated that he recalled telling Mr. Fischer that 140 hours seemed like a lot. [Individual 1] stated that as November 30, 2018 approached, he and one of his assistants reached out to Mr. Fischer to inquire about what training he needed to complete for a waiver and Mr. Fischer eventually provided [Individual 1] with a list of trainings. [Individual 1] stated that as he completed the recommended trainings, he emailed the training records to Mr. Fischer.

[Individual 1] stated the only communication he had with Mr. Fischer about the waiver request after the waiver request was submitted on December 3, 2018 was related to what trainings he had to take. [Individual 1] stated that he did not recall having any discussions with Mr. Fischer about whether he qualified for a waiver and said he was not aware if there were any conversations at ILETSB regarding whether he qualified to receive a waiver.

[Individual 1] confirmed that he was granted a waiver to serve as Undersheriff for Macon County Sheriff's Office on January 11, 2019. [Individual 1] stated that it was his understanding that a waiver allows him to remain as a sworn law enforcement officer. [Individual 1] stated that he believes the waiver allows him to not only work at the Macon County Sheriff's Office, but anywhere in the State of Illinois in a law enforcement capacity.

[Individual 1]'s Certification

[Individual 1] confirmed that he was given an ILETSB Part-Time Law Enforcement Officer Certification by Mr. Fischer, dated January 11, 2019. [Individual 1] stated that he had never seen a certification prior to the one he received from Mr. Fischer and did not know how such certifications were made or issued. [Individual 1] explained that when he received the waiver, he thought he would also receive something saying he was a sworn officer or something that he could put up on a wall. However, [Individual 1] said that he did not recall asking Mr. Fischer for a certification.

[Individual 1] stated that he did not recall Mr. Fischer giving him the certification or even receiving the certification but said that based on a recent review of emails, he believed that he received it from Mr. Fischer at a lunch meeting on February 12, 2019.⁷⁷ [Individual 1] said he did

⁷⁷ [Individual 1] also produced the email he was referencing to the OEIG.

not recall what was said to him when he received it and did not remember being told that the certification was only “ceremonial” or “honorary” and not an authentic certification.

[Individual 1] stated that during the first week of May 2021, a news article was published regarding his campaign for Sheriff of Macon County. According to [Individual 1], shortly after the article was published, he received a call from former Macon County Sheriff and current Macon County Law Enforcement Training Center Deputy Commander [Sheriff 1] informing him that Mr. Fischer informed [Sheriff 1] that [Individual 1] was not eligible to run for Sheriff because the certification that was given to [Individual 1] was “ceremonial” and not a valid certification. [Individual 1] stated that he immediately contacted his attorney to look into the matter.

[Individual 1] stated he also called ILETSB Board Member [ILETSB Board Member 1], because [ILETSB Board Member 1]’s signature is on the certification since he ([ILETSB Board Member 1]) was the ILETSB Board Chairman at that time. [Individual 1] stated that he informed [ILETSB Board Member 1] that Mr. Fischer said the certification was “ceremonial” and not valid and he asked [ILETSB Board Member 1]’s understanding of the certification. [Individual 1] stated that [ILETSB Board Member 1] informed him that he recalled being approached by Mr. Fischer and Mr. Fischer expressing that he was not sure if [Individual 1] qualified to obtain a certification. According to [Individual 1], [ILETSB Board Member 1] stated that he advised Mr. Fischer to only give [Individual 1] a certification if he qualified to receive one.

[Individual 1] said he then had a letter sent to ILETSB inquiring about the validity of the certification that Mr. Fischer had provided him. [Individual 1] stated that ILETSB never acknowledged receiving the letter, nor did they respond to the letter. [Individual 1] stated that on June 17, 2021, he mailed a letter and the certification to ILETSB. [Individual 1] explained that he returned the certification because the validity of the certification was still unknown.

[Individual 1]’s Use of His Waiver and Certification

[Individual 1] stated that he framed the certification and provided it to the Christian County Sheriff’s Office and Cochise County Sheriff’s Office.

[Individual 1] stated that he recently learned that a waiver is a process regarding an individual’s previous training and experience that does not culminate in a certification and that a certification is only issued to individuals that graduate from an academy and pass a certification exam. [Individual 1] stated that if he would have been informed that the certification was not authentic, he would not have placed a copy of it in his personal binder, nor would he have announced his run for Macon County Sheriff.

[Individual 1] confirmed that he has volunteered with Cochise County Sheriff’s Office in Arizona since 2013 but said he did not have arrest authority nor was he a sworn law enforcement officer. [Individual 1] said that when he became the Macon County Sheriff in late 2017, Cochise County Sheriff [Sheriff 5] made him a Special Deputy. [Individual 1] said that [Sheriff 5] informed him that he could continue to serve as a Special Deputy in Cochise County even after his Sheriff term expired because [Individual 1] had received a waiver; [Individual 1] explained that since he received the waiver for Macon County, he had arrest authority in Illinois, which allowed him to

have arrest authority in Arizona according to [Sheriff 5].⁷⁸ [Individual 1] stated that he initially provided the Cochise County Sheriff's Office with a copy of his updated binder with the ILET SB certification that he received from Mr. Fischer, but said that he recently informed [Sheriff 5] that the certification may not be valid and that he thought it best not to serve in any capacity at Cochise County Sheriff's Office until the certification matter is resolved.

[Individual 1] also confirmed that he was appointed as Part-Time Undersheriff for Christian County Sheriff's Office in February 2020, and that Christian County Sheriff [Identifying Information Redacted] [Deputy 1] submitted a Notice of Appointment and Waiver Request Form to ILET SB for him in February 2020, without any response from ILET SB to date.⁷⁹ [Individual 1] confirmed the waiver form was not accurate because it indicated that he had completed an ILET SB certified part-time basic training course when he had not completed the course.⁸⁰ [Individual 1] stated that Christian County Sheriff [Sheriff 4] recently submitted a new waiver request form on his behalf to serve as Christian County Sheriff's Office Undersheriff and this form does not show he completed the training. [Individual 1] stated that he was not aware of the status of the newly submitted waiver request.⁸¹

[Individual 1] stated that he is concerned about how the certification matter appears. [Individual 1] said that he was not looking for anything in return for his contributions. [Individual 1] reiterated that he did not recall ever asking for a certification and that he would never expect or want something that he was not entitled to. [Individual 1] stated that although he believes he has the necessary training and experience to serve as a law enforcement officer, it can appear that he was only given a certification because he has donated millions of dollars to the law enforcement community.

J. The Board's Knowledge

1. Board Meeting Minutes

There is no indication in the ILET SB Board or committee meeting minutes from December 2018 or March 2019 meetings—the two meetings closest in time to when [Individual 1] was issued the certification by Mr. Fischer—that the ILET SB board considered the issue of granting a

⁷⁸ [Individual 1] stated that he never attempted to obtain reciprocity in Arizona but that he inquired about Arizona's waiver process. [Individual 1] explained that it required a physical test and a written test, and he knew he would not be able to jump a 6-foot wall and pass a physical test, nor did he want to take a 250-question test.

⁷⁹ OEIG investigators confirmed that the February 2020 waiver application submitted for [Individual 1] indicated that he had completed the law enforcement ILET SB certified part-time basic training course. At the time of this report, ILET SB had not made a decision regarding [Individual 1]'s 2020 waiver application.

⁸⁰ During his interview with investigators, Mr. Fischer acknowledged that a waiver was submitted for [Individual 1] in February 2020 and that, although over a year has passed since it was submitted, he has not made a decision regarding [Individual 1]'s waiver.

⁸¹ The Illinois Police Training Act requires that a person hired to serve as a part-time law enforcement officer obtain from ILET SB, generally within 18 months after the initial date of hire, a certification. However, due to COVID, ILET SB issued special waivers to approximately 2,800 officers—including [Individual 1]—extending their time to complete the required training to 30 months from their hire date. At time this report was issued, it has been 18 months since [Individual 1] was hired by the Christian County Sheriff's Office.

certification to [Individual 1].⁸² Although Mr. Fischer was in attendance at each meeting according to the minutes, there was no notation that he brought anything regarding [Individual 1]’s certification or waiver to the Board’s attention.⁸³

2. Interview with ILETSB Then-Board Chair [ILETSB Board Member 1]

On June 4, 2021, OEIG investigators interviewed ILETSB Board Member [ILETSB Board Member 1]. [ILETSB Board Member 1] said that he has been a member of the ILETSB Board since [Identifying Information Redacted], and served as Board Chair from [Identifying Information Redacted]. [ILETSB Board Member 1] said that ILETSB governs all things related to law enforcement and corrections in Illinois, including determining whether individuals meet the requirements to perform the duties of a law enforcement officer. [ILETSB Board Member 1] said that the Board’s role is to direct staff, including the ILETSB Executive Director. However, [ILETSB Board Member 1] said that there is little interaction between the Board members and ILETSB staff and little communication between the Executive Director and the Board. [ILETSB Board Member 1] explained that often things are generally completed prior to Board meetings and the Board just approves everything, even describing quarterly meetings as mostly “social event[s].”

[ILETSB Board Member 1] said that ILETSB certifies law enforcement officers, and explained that individuals must meet certain criteria to become certified in the State. [ILETSB Board Member 1] confirmed that during his tenure as Board Chair, he provided ILETSB with a digital signature that was included on certifications from December 2018 through December 2020, along with that of the Executive Director’s. [ILETSB Board Member 1] said he thought the traditional path to obtaining a certification is that an agency hires an individual and facilitates their entry to a training academy. However, [ILETSB Board Member 1] said that he did not know if an individual can obtain a certification if they do not attend an academy or sit for an exam. [ILETSB Board Member 1] said he did not know the specific criteria for being awarded a certification, the inner workings of the certification process, or who at ILETSB is tasked with oversight of the certification process. [ILETSB Board Member 1] said that he believes that the Executive Director has the authority to give someone a certification, but only with Board approval.

[ILETSB Board Member 1] said that he did not learn about the certification given to [Individual 1] in 2019 until approximately two or three weeks before his OEIG interview. [ILETSB Board Member 1] said he learned about the certification from [Individual 1] when [Individual 1] contacted him. [ILETSB Board Member 1] said that he knows [Individual 1] and considers him to be a friend. [ILETSB Board Member 1] explained that [Individual 1] told him that Mr. Fischer recently called [Individual 1] to tell him that the certification Mr. Fischer issued to [Individual 1] in 2019 was only ceremonial, meaning [Individual 1] was not actually a certified law enforcement officer.

⁸² See <https://www.ptb.illinois.gov/about/board-meetings/> (last visited June 22, 2021). However, in the December 2018 quarterly meeting, Mr. Fischer did notify the board, during the meeting, that he planned to present [State Legislator 1] with a plaque in appreciation of her efforts with regard to sponsoring legislation which favored the Board.

⁸³ At March 2019 meeting, Mr. Fischer did provide an update to the board regarding a project with [Charitable Organization 1]’s construction of an additional training facility in Decatur, behind the current Macon County Law Enforcement Training Center.

[ILETSB Board Member 1] said that he was not consulted about the issuance of the certification to [Individual 1] and he did not give Mr. Fischer permission to issue the certification.⁸⁴ [ILETSB Board Member 1] said he is not aware of the Board giving Mr. Fischer—or anyone else—approval to issue a certification to [Individual 1]. [ILETSB Board Member 1] said that if [Individual 1] did not meet the qualifications to become a certified law enforcement officer, it was not appropriate to give [Individual 1] a certification. When asked if ILETSB issues ceremonial certifications to individuals, reflecting an individual has fulfilled the requirements as a full-time or part-time officer, [ILETSB Board Member 1] said, “no way.” [ILETSB Board Member 1] said that ILETSB has recognized individuals who are friends to law enforcement by giving plaques to those individuals at quarterly board meetings. However, [ILETSB Board Member 1] reiterated that ILETSB has not issued honorary certifications to individuals.

IV. ANALYSIS

This investigation revealed that ILETSB’s Executive Director, Brent Fischer, engaged in mismanagement and malfeasance when he issued a part-time law enforcement certification to [Individual 1]. Mr. Fischer also applied inappropriate factors when evaluating a waiver request for [Individual 1] to serve as Undersheriff for Macon County.

[Individual 1]’s Certification

Pursuant to the Illinois Police Training Act, a person hired to serve as a part-time law enforcement officer in Illinois must obtain a certification from ILETSB, generally within 18 months after their initial date of hire.⁸⁵ To obtain such a certification from ILETSB, part-time law enforcement officers must complete the part-time basic training course by attending all training sessions and passing the written test for each training module,⁸⁶ and must also pass the certification examination.⁸⁷ ILETSB’s Executive Director has the authority to “make reports and recommendations concerning certification to the Board,”⁸⁸ but only the Board has the authority to “issue a certificate to individual recruit law enforcement officers, . . . when those officers have successfully completed an approved basic training course.”⁸⁹

⁸⁴ During his interview, [ILETSB Board Member 1] said that he was consulted regarding [Individual 1]’s 2019 waiver request. [ILETSB Board Member 1] said that Mr. Fischer was concerned that [Individual 1] did not meet the requirements to receive a waiver but would be upset if he did not receive the waiver. [ILETSB Board Member 1] said he told Mr. Fischer that the decision was simple, either [Individual 1] met the requirements to obtain a waiver or he did not; and that he believed [Individual 1] would understand if he did not. [ILETSB Board Member 1] said he did not recall having any subsequent conversations with Mr. Fischer regarding how the issue had been resolved and [ILETSB Board Member 1] said that he assumes that [Individual 1] met the criteria because a waiver was issued.

⁸⁵ 50 ILCS 705/8.2. Due to COVID, ILETSB issued special waivers to approximately 2,800 officers—including [Individual 1]—extending their time to complete the required training to 30 months from their hire date.

⁸⁶ 20 Ill. Admin. Code 1770.201 and 1770.205.

⁸⁷ 20 Ill. Admin. Code 1770.206. While part-time officers may be certified by ILETSB for finishing a similar training program or having such extensive previous experience that basic training is unreasonable, those certifications are documented in a wholly different manner than the certification at issue in this case.

⁸⁸ 2 Ill. Admin. Code 2100.260.

⁸⁹ 2 Ill. Admin. Code 2100.210.

Mr. Fischer knowingly and intentionally issued a part-time law enforcement officer certification to [Individual 1] without the requisite qualifications. [Individual 1] has never attended a basic training course—either in Illinois or another jurisdiction—or sat for the required examination. No records exist indicating otherwise and [Individual 1] acknowledged that he has never attended a law enforcement academy as a recruit, nor taken a certification examination. Mr. Fischer, in his interview, admitted that at the time he ordered [Individual 1]’s certification to be generated, he knew that [Individual 1] had not completed the required training or sat for the required examination.

Mr. Fischer was advised that issuing such a certification to [Individual 1] was inappropriate. Specifically, ILETSB [Identifying Information Redacted] [ILETSB Employee 2] told investigators that he informed Mr. Fischer that ILETSB could not give [Individual 1] a certification and that, at the most, ILETSB could entertain a waiver request, but even that should be considered very carefully. Mr. Fischer acknowledged that he did not consult with the Board about issuing the certification to [Individual 1]. Then-ILETSB Board Chair [ILETSB Board Member 1] confirmed that he was not consulted about the issuance of the certification to [Individual 1] and he did not give Mr. Fischer permission to issue the certification. In fact, [ILETSB Board Member 1] said that he did not learn about the certification given to [Individual 1] in 2019 until approximately June 2021.

Additionally, Mr. Fischer had to go outside ILETSB’s normal process in order to issue the certification to [Individual 1]. [ILETSB Employee 1] explained that since 1999, she has been charged with issuing all certifications by ILETSB through an automated process initiated when an examination is administered where she runs examinations through a computer program to grade each officer’s work and generate an appropriate certification. Mr. Fischer acknowledged to investigators that ILETSB typically does not generate certifications outside of the normal process, but said that he asked [ILETSB Employee 1] to make a certification for [Individual 1].⁹⁰

Not only did Mr. Fischer fail to follow the proper requirements or normal procedures for issuing a certification, he also issued a certification to [Individual 1] after ILETSB received significant monetary donations from him. [Individual 1], through [Charitable Organization 1], donated property to ILETSB and spent approximately \$15 million dollars to build a facility on that property for ILETSB in 2016, provided \$250,000 in transition costs and \$330,000 in instructor salaries for Richland Community College, provided two vehicles for the startup of the Macon County Law Enforcement Training Center, and also a leased a building to ILETSB for one-dollar annual rent in 2019. Mr. Fischer, and ILETSB, also made additional requests to [Individual 1] for funds, including a donation of \$275,000 and another \$10,000 to support the ILETSB canine program. At the very least, these significant donations should have caused Mr. Fischer to take extra care to ensure all necessary requirements were met and proper procedures were followed.

The evidence, however, shows that Mr. Fischer proceeded to provide [Individual 1] with an invalid certification in response to [Individual 1]’s donations. Emails indicate that on January 11, 2019, Mr. Fischer, through his assistant, informed [Individual 1]’s employee that ILETSB had finally figured out a way to cash [Individual 1]’s \$10,000 donation for ILETSB’s canine program.

⁹⁰ Both [ILETSB Employee 1] and [ILETSB Employee 5] stated they did not remember making the certification for [Individual 1].

⁹¹ Three hours after that email, Mr. Fischer’s assistant sent a letter from Mr. Fischer approving a waiver for [Individual 1], and on that same day, a certification was electronically signed and dated in the name of Mr. Fischer, explicitly stating that [Individual 1] fulfilled all of the requirements necessary to be certified as a part-time law enforcement officer.

According to [Individual 1], Mr. Fischer never asked him, or anyone representing him, for anything for his personal benefit. [Individual 1] also denied ever giving anything personally to Mr. Fischer, and denied ever offering Mr. Fischer—or any other State of Illinois employee, official, or agency—anything in exchange for something to benefit himself. The OEIG’s review of emails did not indicate otherwise. While the OEIG did not find evidence that Mr. Fischer personally benefited from the issuance of the certification, Mr. Fischer clearly believed that [Individual 1]’s donations provided a basis for issuing [Individual 1] a certification for which he was not qualified. In fact, Mr. Fischer, the individual tasked with enforcing ILETSB’s regulations, claimed that [Individual 1] deserved recognition for all he has done for law enforcement.

ILETSB has determined that the part-time basic training course necessary to earn a valid certification requires recruits to complete a minimum of approximately 560 hours of classroom instruction in specific topics. Based on documents produced by ILETSB, [Individual 1] had completed approximately 328 hours of instruction by January 11, 2019, when Mr. Fischer issued the certification. Although [Individual 1] has obtained some other law enforcement training and experience, ILETSB has highlighted the vital importance of minimum training for law enforcement officers in Illinois, explaining that “[t]he establishment of extensive training and certification requirements helps ensure that only the best, the brightest and most competent of individuals become law enforcement officers,”⁹² “and be judged to be competent to adequately fulfill the awesome responsibilities of an Illinois police officer.”⁹³ Rather than following these requirements, the certification issued by Mr. Fischer allowed for [Individual 1] to hold himself out as a certified law enforcement officer in Illinois from January 2019 through July 2021. And in fact, [Individual 1] proceeded to use the certification in this way. The Macon County Sheriff’s Office website listed [Individual 1] as having been certified by ILETSB as a Part-Time Law Enforcement Officer in January 2019. [Individual 1] also told investigators that he provided the 2019 certification to the Christian County Sheriff’s Office and the Cochise County Sheriff’s Office in Arizona, supporting his work as a law enforcement officer there. The certification was also used in the waiver request submitted by Christian County in February 2020 for [Individual 1] to work there. And finally, because of recent legislation requiring Sheriffs to be certified, the certification was relied upon by [Individual 1’s Political Committee] supporting [Individual 1]’s candidacy for Sheriff of Macon County in 2022.

In his defense, Mr. Fischer claimed that the certification he issued to [Individual 1] was as an honorary degree, saying that it was just a symbolic or ceremonial certification, intended as a

⁹¹ Emails reviewed by OEIG investigators from July 2019, indicate that ILETSB was ultimately unable to cash the \$10,000 donation check and returned the voided check to [Charitable Organization 1]. However, as of the date on the certification, January 11, 2019, Mr. Fischer apparently believed that ILETSB would be able to cash the relevant donation check.

⁹² Guidelines for the Administration of the Law Enforcement Officers Certification Examination, Issued May 1, 1997; revised August 29, 2016, Cover letter authored by Mr. Fischer.

⁹³ Justex Systems Inc Illinois Basic Police Training Validation Project – Report on Establishment of examination minimum passing score, September 1983.

“gesture of appreciation.” If true, this assertion would demonstrate a level of judgment not befitting an Executive Director, especially since the certification issued did not contain any indication that it was “ceremonial” or not valid. But more importantly, the evidence does not support Mr. Fischer’s assertion that he meant it to only be symbolic. First, Mr. Fischer could not remember ever informing [Individual 1] that the certification was invalid and [Individual 1] said that he was not aware his certification was invalid or honorary until May 2021 and was not informed of that fact by Mr. Fischer or anyone on ILETSB’s staff. Second, [Individual 1] used the certification as if it were legitimate including in February 2020 when [Individual 1]’s waiver application from Christian County stated that [Individual 1] was certified. Mr. Fischer, who determines whether to grant waiver requests, had that application in his possession for over a year. If Mr. Fischer actually intended the certification to be honorary, Mr. Fischer should have realized there was a problem at least by February 2020, when the Christian County waiver application was sent to him. At that time, and for the entire following year, Mr. Fischer did not inform [Individual 1] of any misunderstanding or that the certification was only ceremonial. Rather, Mr. Fischer was on notice that [Individual 1] was using the certification, as if it were legitimate, and Mr. Fischer took no action to correct the situation.

[Individual 1]’s Waiver

The ILETSB Executive Director may grant a waiver of basic training requirements set by the Board if, by reason of extensive prior experience as a law enforcement officer, the basic training requirement is illogical or unreasonable as applied to a specific individual.⁹⁴ Before issuing a waiver, the Executive Director must consider the type and length of their prior experience as a law enforcement officer, prior certifications for training, and education.⁹⁵ However, internal ILETSB policy indicates that in considering whether to grant a waiver of the basic training requirement, no credit should be given for experience as an auxiliary police officer.

In their interviews with investigators, [ILETSB Employee 1], [ILETSB Employee 2], [ILETSB Employee 3], and Mr. Fischer, all stated that they could not recall an instance—other than for [Individual 1] in 2019—when a waiver was granted for an officer who had not completed a basic training course and passed a certification exam. In granting [Individual 1]’s 2019 waiver, Mr. Fischer relied on [Individual 1]’s experience as Macon County Sheriff, but also explicitly considered [Individual 1]’s extensive work as an auxiliary officer, in contravention of ILETSB policy. Mr. Fischer also said that in granting [Individual 1]’s 2019 waiver, he considered the fact that [Individual 1] had done a lot for the law enforcement community, including donating substantial financial resources. These two issues should not have been factors considered in granting [Individual 1]’s 2019 waiver. Additionally, although [ILETSB Employee 2] indicated that he advised Mr. Fischer to inform the ILETSB Board that [Individual 1] was on the waiver list so the Board could weigh in on the waiver decision, Mr. Fischer failed to do so and the whole Board never explicitly examined [Individual 1]’s waiver request. While [ILETSB Board Member 1] said that he was consulted regarding [Individual 1]’s 2019 waiver request, he said he told Mr. Fischer that the decision was simple—either [Individual 1] met the requirements to obtain a waiver or he did not. [ILETSB Board Member 1] said he did not recall having any subsequent

⁹⁴ 20 Ill. Admin. Code 1720.15(a).

⁹⁵ *Id.*

conversations with Mr. Fischer regarding how the issue had been resolved and said he assumes that [Individual 1] met the criteria because a waiver was issued.

[The Commission exercises its discretion to redact two sentences pursuant to 5 ILCS 430/20-52(b).] However, it is clear that Mr. Fischer made the waiver determination, independently, and, in light of ILETSB policy, included factors that should not have been considered in that decision, such as [Individual 1]’s auxiliary experience and his significant financial donations.

Conclusion

In sum, Mr. Fischer issued a certification to [Individual 1] although he knew that [Individual 1] did not meet the necessary qualifications. Mr. Fischer ignored the advice of [Identifying Information Redacted], failed to seek input from the Board on the decision, and went outside of ILETSB’s normal process to issue the certification to [Individual 1] after he made significant financial contributions to ILETSB. Moreover, Mr. Fischer failed to correct [Individual 1]’s understanding of the validity of the certification for more than a year, allowing [Individual 1] to hold himself out as a certified law enforcement officer in Illinois from January 2019 through July 2021. Based on the foregoing, the OEIG finds that Mr. Fischer exceeded his authority as ILETSB Executive Director and improperly issued [Individual 1] a certification for which he did not qualify. Furthermore, Mr. Fischer granted a waiver for [Individual 1] to be an Undersheriff in Macon County, based on factors that should not have been considered. For these reasons, the allegation that Mr. Fischer mismanaged ILETSB, and engaged in malfeasance, is **FOUNDED**.⁹⁶

V. FINDING AND RECOMMENDATIONS

As a result of its investigation, the OEIG concludes that there is **REASONABLE CAUSE TO ISSUE THE FOLLOWING FINDING:**

- **FOUNDED** – ILETSB Executive Director Brent Fischer engaged in mismanagement and malfeasance by improperly issuing a certification to [Individual 1] for which he was not qualified, and issuing the Macon County waiver based on inappropriate factors.

Issuing a law enforcement certification to anyone that does not meet the necessary requirements can have significant consequences, and does not comport with ILETSB’s duty to promote and maintain a high level of professional standards for law enforcement officers. ILETSB has recognized the “awesome”⁹⁷ responsibility of being a law enforcement officer and emphasized that the establishment of extensive training and certification requirements helps ensure only competent individuals become law enforcement officers. Furthermore, an Illinois certification can be used to obtain law enforcement roles elsewhere. Certification of law enforcement officer status, especially considering the significant public interest in maintaining integrity in that process, should not be minimized nor should it be provided based on someone’s ability to financially contribute, regardless of how great that assistance is, to the law enforcement community. It is indefensible

⁹⁶ The OEIG concludes that an allegation is “founded” when it has determined that there is reasonable cause to believe that a violation of law or policy has occurred, or that there has been fraud, waste, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance.

⁹⁷ Justex Systems Inc Illinois Basic Police Training Validation Project – Report on Establishment of examination minimum passing score, September 1983.

for ILETSB, the agency that maintains and implements these standards, to have an Executive Director who does not adhere to those standards, and instead believes someone deserves a law enforcement certification based on financial contributions, or does not comprehend the consequences of providing a certification that appears legitimate to someone who has not qualified for that status. Thus, the OEIG recommends that ILETSB terminate Mr. Fischer's employment with ILETSB.

The OEIG also recommends that ILETSB design and implement policies and procedures regarding conflicts of interest. In particular, it should consider a procedure for how an Executive Director should handle a request from someone that has made donations, or presents any other conflict of interest. To be clear, just because someone, as in this case [Individual 1], has donated or has a relationship that causes a conflict of interest (or appearance thereof) does not necessarily mean that the individual cannot receive a waiver or certification. However, in order to make sure that appropriate decisions are made, and can be relied upon, ILETSB should have a procedure in place that requires, at minimum, disclosure of the potential conflict, proper vetting of the conflict, and a collective, or at least one that minimizes any undue influence, decision to ensure an appropriate basis for the decision. Furthermore, ILETSB should make every effort to educate Board members on the scope and authority of the Executive Director and the Board itself so that it may better understand its role in ensuring that certifications and waivers are appropriately issued.

Lastly, the OEIG recommends ILETSB thoroughly examine the pending Christian County waiver request to determine whether a waiver is appropriate based on [Individual 1]'s qualifying experience as opposed to any financial assistance. Furthermore, because [Individual 1] stated that he believed his 2019 Macon County waiver authorized him to work in the Macon County Sheriff's Office and anywhere in the State of Illinois in a law enforcement capacity, the OEIG recommends that ILETSB make clear the actual scope and purpose of individual waivers upon issuance.

No further action is necessary and this matter is considered closed.

Date: **August 10, 2021**

Office of Executive Inspector General
for the Agencies of the Illinois Governor
69 West Washington Street, Ste. 3400
Chicago, IL 60602

By: **Kelly Fasbinder, # 146**
Assistant Inspector General

Daniel Bohaczyk, # 114
Supervising Investigator



Illinois Law Enforcement Training and Standards Board

JB Pritzker, Governor
Keith Calloway, Acting Director
Chief Mitchell R. Davis III, Chairman

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September 8, 2021

Susan M. Haling
Executive Inspector General
Office of the Executive Inspector General
c/o Sherry Bult
Senior Paralegal
[REDACTED]

EIG Haling,

Later today and tomorrow morning, the Illinois Training and Standards Board will be holding its quarterly meetings in Downers Grove. I have called a Special Board Meeting to at 1pm today to specifically address your investigation and your findings. It is my intent to proceed with your recommendation of termination of Director Brent Fischer to the Board. The Board will discuss the matter in closed session and make the formal vote when it returns to open session.

If you have any questions or concerns, please feel free to contact me.

Thanks.

Sincerely,

[REDACTED]
Mitchell R. Davis III



Illinois Law Enforcement Training and Standards Board

JB Pritzker, Governor
Keith Calloway, Acting Director
Chief Mitchell R. Davis III, Chairman

Phone: 217/782-4540
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September 20, 2021

Susan M. Haling
Executive Inspector General
Office of the Executive Inspector General
c/o Sherry Bult
Senior Paralegal
[REDACTED]

EIG Haling,

During a special meeting of the Illinois Training and Standards Board in conjunction with our quarterly meetings on September 8, 2021, in Downers Grove, the Board's attendees unanimously voted to terminate Brent Fischer as Executive Director of ILETSB. Mr. Fischer has been notified about these findings, which were effective immediately. The Board discussed the matter in closed session and took the formal vote during open session.

Additionally, the Board determined that a current waiver request for [REDACTED] should be denied.

If you have any questions or concerns, please feel free to contact me.

Thank you.

Sincerely,

^

[REDACTED]
Mitchell R. Davis III

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

IN RE: BRENT FISCHER

) OEIG for the Agencies of the
) Illinois Governor
) Case #21-00826

RESPONDENT'S SUGGESTIONS FOR REDACTION / PUBLIC RESPONSE

Please check the appropriate line and sign and date below. If no line is checked, the Commission will not make your response public if the redacted report is made public.

☒ Below is my public response. Please make this response public if the summary report is also made public; or

☐ Below are my suggestions for redaction. I do not wish for these suggestions to be made public.



Respondent's Signature

11-5-21
Date

Instructions: Please write or type suggestions for redaction or a public response on the lines below. If you prefer, you may attach separate documents to this form. Return this form and any attachments to:

EEC.CMS@illinois.gov
Illinois Executive Ethics Commission
401 S. Spring Street, Room 513 Wm. Stratton Building
Springfield, IL 62706

Michelle Casey (By email/PDF with Coversheet)
Executive Director
State of Illinois
Executive Ethics Commission
401 S. Spring Street
William Stratton Building Suite 515
Springfield, IL 62706

November 4, 2021

Re: Release of Redacted OEIG Report

Executive Director Casey,

I have received documents from your office and a summary report from the Executive Inspector General for the Agencies of the Illinois Governor, alleging misconduct.

The following is my response, in keeping with one of the options you offer in the attached documents you sent.

Initially, it is essential to note that the more than 30 pages you provided, wholly fail to state **any established rule, regulation statute, or even norm I somehow violated.** My performance should be measured against known, objective, and accepted standards.

At the beginning of my tenure as Executive Director of The Illinois Law Enforcement Training and Standards Board in late 2015, I inherited many challenges. Legislation passed that placed a tremendous number of new mandates on local law enforcement throughout the state. These were a result of the "Police and Community Relations Improvement Act" in 2015. The Act created many new mandates for law enforcement. Additionally, the same Act required these mandates to be met and attained over different required periods, which in turn were "called tri-annual mandates." Simultaneously, we were updating our Basic Training Curriculum for Law Enforcement training. The new curriculum increased contact hours from 480 hrs to 560 hrs. Timelines were given to complete these directives. The Act provided some modest funding but still made it difficult to support local law enforcement and carry out the mandates. Under my leadership, we did meet these timelines and worked with limited resources to accomplish them. Since these mandates were created, we have established systems to allow our mobile training units to sync with our database and have the ability to track compliance.

Historically, our sole funding source for the Training Board is what is called the "Traffic Criminal Conviction Surcharge Fund." This fund is derived from fees and fines through the court system. Outside of this, through the Executive Institute, we would submit for grants through the federal solicitation of Homeland Security Grants. Through our mobile training units (in-service training), we would partner with IDOT for traffic safety grants. Around 2016 we were made aware of a task force formed to review the collection of fees and fines by counties throughout the state. As a result of that task force, legislation was passed in 2018. The formula which was used to collect our funds was changed. As a consequence, this resulted in a substantial reduction in funds necessary to meet required training.

One response was to accept a donation from a charitable organization that built and donated an academy and other training resources. Creating these physical plants was another project I inherited. I did not solicit this project. I was informed in my first year that a gentleman

mentioned in the report who represented a charitable organization wanted to build and donate such a facility. He had already approached another state entity to develop and donate for their operations. I tried to help with that project, but ultimately the Charity and the State Entity could not agree. So, it was proposed to us at ILETSB if we would take possession and ensure it would be used for the sole purpose of supporting and enhancing law enforcement. I then brought this in front of the ILETSB Board in 2016. With the approval of The Board, we moved forward with the project and donation of this academy. This was very timely for us in light of the many challenges previously mentioned. This would not have been accomplished if not for the great interest and support from the charitable organization.

The Illinois Law Enforcement Training and Standards Board would be without this fine facility. The organization's principal has donated state-of-the-art training resources to ILETSB and law enforcement all over the state and nationally. In the face of reducing funds, this helped ILETSB bring resources to all law enforcement and corrections to meet the training needs. This helped local governments hire and get officers into the streets more quickly by adding seats available for basic training. We took possession of the facility in September of 2017. By the end of that year, we were open for training.

In late 2017 or early 2018, the Charity's principal was appointed as Sheriff of Macon County. I believe he served in this capacity for about 14 months. This was to serve out the remaining term of the current Sheriff that chose to retire. At the time he served as Sheriff, the State Law did not require the Sheriff to be a certified officer. There was not much needed to be elected as Sheriff. Toward the end of the term, November of 2018, I was approached about whether the Charity's Principal could be waived to serve as a **part-time deputy**. This was something that both candidates for Sheriff supported.

After the election, the successful candidate submitted the appropriate paperwork to request a waiver. Along with the paperwork were **two binders of training certificates and hours of training** of the person in question. I had staff review and evaluate granting a waiver. After review, some classes and certifications could apply, and, upon the advice of our attorney, there was a list of requisite additional or what we would call conditional training. This was recommended by staff to me after their review.

Along with the documents mentioned above, I received letters from several law enforcement professionals in the Decatur/Macon County supporting this waiver. At the time of this review and consideration, it was communicated that the principal was not going to stay in town most of the time and would only be back periodically and wanted to remain involved with the Sheriff's Office. It was never mentioned to me that this person would have any intention to run for any Office. Moreover, I was never asked or involved with the idea that the principal might become Undersheriff. I never improved, embraced, or encouraged any notion of an appointment as Undersheriff. Indeed, I never knew of it as an open question.

After all the above examination and staff review/analysis, the waiver was granted on the merits and by the Board.

Shortly, after the Sheriff's Office was granted the waiver, I was asked by an advocate of the principal if he could get a certificate. A certificate was not something he needed because he was already granted the waiver. This summary states the individual does not remember asking, but he did ask. Note, in this respect, the "executive summary" contradicts itself.

Due to the waiver, the principal would not need a certificate. Because he asked, a certificate was given to him as an expression of gratitude for all he and the foundation had done for Illinois law enforcement.

Then, earlier this year, it came to my attention that this person announced his intention to run for Sheriff of Macon County. This had not been previously mentioned and came as a complete surprise to me.

The Illinois General Assembly recently changed Illinois baseline credentialing to require anyone running for Sheriff to be a certified police officer. This came as a surprise. I spent 20 years close to the Sheriff's Association and keeping up with Illinois Election law. The law enforcement community has proposed similar professionalism requirements for Sheriff Candidates in the past, but the General Assembly has never passed any such legislation. When I became aware of the principal's intention to run, I sent a message to him that he would not qualify to appear on the ballot for Sheriff, based on the new requirements. It was his opinion that was "based on interpretation." As the Director of the credentialing body, I did not need a legal opinion to determine he would not qualify.

When the certificate was created, it was not given an originating serial number. We merely put what is known as a PTB ID number, which is an identifying number by which officers are identified on their rosters. PTB usage would not signify an authentic number indicating one is certified.

Neither the report nor the summary describes the context in which we worked. I want to point out a few essential and contextual areas.

First, and most importantly, I have never benefitted personally in any way from my Board's relationship with the Foundation's principal. Everything the principal and the foundation gave was for direct benefit of Illinois law enforcement. The report talks about several sums of money. For clarity, there is no suggestion that any of that was directed to any individual. All were targeted for our Board or other law enforcement entities. I have never sought nor received anything that would have been a personal gain to me. This is the very first paragraph of our mission statement for ILETSB: **"It is the mission of the Board to provide standards and training which enhance the ability of law enforcement to readily and quickly adapt to our rapidly changing society and which can lead to public recognition of law enforcement as a profession."** I mention this because, in my nearly 30-year career, I have always been an advocate to support law enforcement and promote professional development. I have always put the interest in helping law enforcement to move forward. If I hadn't worked with the principal to obtain the needed funding for our work, I would not have been fulfilling that mission.

Secondly, as noted above, I am nearing 30 years in law enforcement. In my 17 years as Adams County Sheriff, peers chose me to serve on state boards and committees. In some of those cases served in leadership roles. I was always respected and never saw any controversies in those 17 years. My peers in both parties would tell you my reputation for honesty and integrity was unimpeachable. As Executive Director, I carried those same values to the work. This report impugns my reputation for integrity without citing a single standard I have transgressed. Indeed, the report prompts the Board to consider passing ethics regs, suggesting there were none violated in this instance.

The Board reviews the performance of the executive director. Each year that the Board performed an annual evaluation, I was always scored comfortably, **exceeding expectations**. It is a function of the Board to seek and obtain public sector and charitable funding. All of this was done transparently with my Board, and my evaluations demonstrate that the Board was enthusiastic about the assistance we obtained, pursuant to our charter.

The Report points to no factual basis for a finding of any objective legal or ethical standard. It also reflects no investigation into the training materials the principal presented to obtain the waiver. Publication of an incomplete and subjective "investigation." serves no governmental or ethical purpose

Respectfully

Brent Fischer