

## ILLINOIS STATE POLICE DIRECTIVE

### ADM-135, CONTRACTUAL AGREEMENTS FOR LAW ENFORCEMENT SERVICES

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| <b>RESCINDS:</b><br>ADM-135, 2012-025, revised 04-03-2012.      | <b>REVISED:</b><br>04-03-2015 <b>2015-019</b>   |
| <b>RELATED DOCUMENTS:</b><br>ADM-118, ADM-126, ADM-127, ADM-129 | <b>RELATED CALEA STANDARDS:</b><br>3.1.1, 3.1.2 |

#### I. POLICY

The Illinois State Police (ISP) will coordinate law enforcement services with outside agencies and other entities when the delivery of such services is in the best interest of the ISP and the people of the state of Illinois.

#### II. AUTHORITY

II.A. 5 ILCS 220/1, et seq., the "Intergovernmental Cooperation Act"

II.B. 20 ILCS 2605/2605-400, "State Police Services Fund"

#### III. DEFINITIONS

III.A. Interagency Agreement - a contractual agreement or memorandum of understanding between governmental entities concerning cooperative efforts.

III.B. Interagency Contract - a contractual agreement between governmental entities for the provision of services.

III.C. Law Enforcement Services Contract - an agreement between the ISP and a non-governmental entity to provide services or accept benefits as allowed by 20 ILCS 2605/2605-405.

#### IV. RESPONSIBILITIES

The Colonel of each division is responsible for ensuring all interagency contracts, interagency agreements, and law enforcement services contracts entered into by any member of that division contain the necessary legal provisions required by law and are beneficial to the ISP and the people of the state of Illinois.

#### V. PROCEDURES

V.A. All interagency contracts, interagency agreements, and law enforcement services contracts will be in writing and contain the following elements, as applicable:

- V.A.1. A statement of the specific services and their costs to be provided by all parties
- V.A.2. Specific language dealing with financial agreements between the parties
- V.A.3. A listing of the records to be maintained concerning performance of services by the provider agency
- V.A.4. Language addressing the duration, modification, and termination of the contract
- V.A.5. A provision defining the control and supervision of any personnel related to the agreement
- V.A.6. Specific arrangements for the use of equipment and facilities
- V.A.7. A procedure for review and revision
- V.A.8. Any statements and provisions required by the Intergovernmental Cooperation Act and by any other applicable laws and regulations
- V.A.9. A procedure on how involved parties will address FOIA

- V.A.10. A procedure to address breach of privacy issues amongst parties involved in the agreements
- V.B. All contracts for law enforcement services will ensure that the provider agency will not abridge the employment rights and collective bargaining agreements, if applicable, of personnel assigned under the contract.
- V.C. The Department unit most closely associated with the implementation of the agreement will process and maintain all new agreements.
  - V.C.1. Each division may establish its own procedures for agreement processing and maintenance.
  - V.C.2. The Legal Office will issue separate and distinct identifiers for each agreement.
  - V.C.3. The approval of the Fiscal Management Bureau (FMB), Division of Administration, and the Legal Office is required for all:
    - V.C.3.a. Interagency contracts
    - V.C.3.b. Interagency agreements
    - V.C.3.c. Law enforcement services contracts
  - V.C.4. If the FMB and the Legal Office have approved the form, multiple agreements that are identical or substantially similar do not need individual approval.
  - V.C.5. Department units shall annually submit the form of multiple agreements to the FMB and the Legal Office for review and approval.
- V.D. Signatory authority from the Director is needed to execute:
  - V.D.1. Interagency contracts
  - V.D.2. Interagency agreements
  - V.D.3. Law enforcement services contracts
- V.E. The Director's Office will be the repository for all contractual agreements for law enforcement services. Divisions needing a review of contractual agreements encompassing his/her division will be required to have the Colonel, or his/her designee, contact the Department Chief of Staff for such review.
- V.F. The FMB and the Legal Office will review all interagency contracts, interagency agreements, and law enforcement services contracts upon renewal and may review such contracts and agreements at any time upon request to ensure compliance with this directive.

| Indicates new or revised items.

**-End of Directive-**