

Decertification Procedures

This policy outlines the procedures by which the Indiana Law Enforcement Academy (ILEA) initiates, processes and conducts the revocation of a law enforcement officer's certification pursuant to Indiana Code 5-2-1-12.5. The procedure ensures transparency, due process, and the opportunity for officers to be heard before the Law Enforcement Training Board (LETB) regarding the revocation of their certification.

Section 1: Initiation of a Revocation

Upon learning of an incident involving a law enforcement officer that may result in revocation under Indiana Code 5-2-1-12.5, the Executive Director of the ILEA shall convene with the ILEA Legal Department to assess whether the circumstances meet the statutory criteria for revocation.

If the Executive Director and/or the LETB determines that the behavior meets the statutory requirements to begin decertification proceedings, a formal "Notice of Written Charges for Revocation of Indiana Law Enforcement Certification" shall be prepared and personally served or mailed via certified mail to the officer's last known address.

Section 2: Notification

The formal notice shall provide the following:

1. Notice of allegations, including alleged charges for revocation;
2. Rights to due process including right to counsel, right to request a hearing and right to voluntarily relinquishment;
3. Outline proper procedures to voluntarily relinquish and/or request a hearing.

Section 3: Pre-Hearing Procedures

If the officer requests a hearing, a status conference shall be held, with the option for both the officer and the ILEA to meet with the chair of the LETB's revocation subcommittee. The purpose of the status conference is to discuss potential resolutions and discovery timeline.

Section 4: Hearing Scheduling and Absence of Response

If the officer fails to respond to the notice within ninety (90) days, a hearing will be scheduled.

A Notice of Hearing will be mailed to the officer via personal service or mailed via certified mail, providing the date, time, and location of the hearing, as well as information regarding the officer's ability to attend the hearing either in person or remotely.

Section 5: Hearing Procedures

At the hearing, both parties will have the opportunity to present evidence and call witnesses. The officer may through counsel or pro se present testimony, documents, or any other evidence in their defense. The ILEA will be represented by legal counsel, who will present evidence supporting the case for revocation of the officer's certification.

The hearing will be conducted in accordance with Indiana law to ensure the officer's due process rights are satisfied.

Section 6: Final Decision by LETB

Upon the hearing's conclusion, the decertification subcommittee will deliberate and issue written Findings of Fact and Conclusions of Law. At the next LETB meeting, the subcommittee's recommendation will be presented to the Law Enforcement Training Board. The LETB will hold a final vote on the decertification matter.

The LETB's final decision is binding, subject to any available appellate processes as outlined by Indiana law.

Section 7: Notification

A letter will be sent to the individual with the LETB's decision and rights under I.C. 5-2-1-12.5. If decertified, the individual's name will be added to ILEA's website and IADLEST website consistent with I.C. 5-2-1-12.5.