

VILLAGE OF BRADLEY

RESOLUTION NO. R-11-19-5

**A RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT
(Kankakee Area Metropolitan Enforcement Group)**

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 25th DAY OF November, 2019

Published in pamphlet form by the order and authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois, this 25th day of November, 2019.

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**A RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT
(Kankakee Area Metropolitan Enforcement Group)**

WHEREAS, Article VII, Section 10 of the Constitution of the State of Illinois of 1970 provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance; and

WHEREAS, Section 220/5 of the Intergovernmental Cooperation Act (5 ILCS 200/5) provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service which any of the public agencies is authorized by law to perform, provided the contract is authorized by the governing body of each party to the contract; and

WHEREAS, the Kankakee Area Metropolitan Enforcement Group (“KAMEG”) coordinates the efforts of the Illinois State Police and local law enforcement agencies to enforce drug, gun, and gang-related laws without regard to jurisdictional boundaries and cooperates with local, county, state, and federal law enforcement groups; and

WHEREAS, the President and Board of Trustees find it is in the best interests of the citizens of the Village of Bradley to participate in KAMEG, either through the contribution of the services of the Village’s law enforcement personnel or monetary contributions; and

WHEREAS, the corporate authorities find it is in the best interest of the Village of Bradley to enter into the attached Intergovernmental Agreement to participate with the Illinois State Police and other local law enforcement agencies in the operation of KAMEG.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, BY AND PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The Village President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Resolution are true, correct and complete and are hereby incorporated by reference thereto and made a part hereof.

SECTION 2. The attached Intergovernmental Agreement is hereby approved, and the Chief of Police is authorized to execute said Intergovernmental Agreements on behalf of the Village of Bradley.

SECTION 3. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED by the Board of Trustees on a roll call vote on the 25th day of Nov, 2019.

TRUSTEES:


ROBERT REDMOND	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
MICHAEL WATSON	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
RYAN LEBRAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DARREN WESTPHAL	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN TIERI	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

ACTING VILLAGE PRESIDENT:

TRUSTEE MICHAEL WATSON

TOTALS: Aye - 6 Nay - 0 Absent - 0

ATTEST:




JULIE TAMBLING,
VILLAGE CLERK

APPROVED this 25th day of November, 2019.



MICHAEL WATSON,
ACTING VILLAGE PRESIDENT

ATTEST:



JULIE TAMBLING,
VILLAGE CLERK

STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

I, JULIE TAMBLING, Village Clerk for the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Resolution number R-11-19-5, "A RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT" which was adopted by the Village President and Board of Trustees at a meeting held on the 25th day of November, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 25th day of November, 2019.



JULIE TAMBLING,
VILLAGE CLERK

(SEAL)

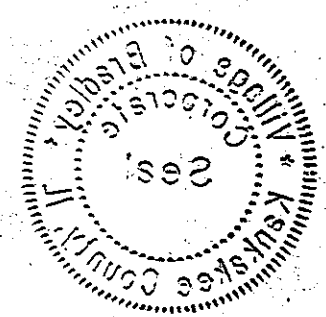


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Intergovernmental Agreement for the Kankakee Area Metropolitan Enforcement Group

Section 1: Purpose

- A. In order to combat trafficking of illegal narcotics, guns illegal street gang activity, the undersigned units of local and county government and the Illinois State Police (ISP) hereby agree to integrate law enforcement resources into the Kankakee Area Metropolitan Enforcement Group (KAMEG) to coordinate the enforcement of drug, gun, and gang-related laws without regard to jurisdictional boundaries and to cooperate with local, county, state, and federal law enforcement groups. This agreement is entered into for the purpose of complying with the statutory authorities identified in Section 2. It is not intended to create any rights in, or obligations to, any third parties.

Section 2: Parties

- A. The parties to this agreement are the Illinois State Police, the City of Kankakee Police Department, the Village of Bourbonnais Police Department, the Kankakee County Sheriff's Department, the Village of Bradley Police Department, and the Kankakee County State's Attorney's Office. In the event that additional local/federal agencies request to participate in KAMEG, their acceptance will be contingent upon the unanimous agreement of the KAMEG Policy Board.

Section 3: Authority

- A. This agreement is entered into by the participating agencies units of government and the ISP pursuant to the provisions of Article VII, Section 10, of the Constitution of the State of Illinois, the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., and the Intergovernmental Drug Laws Enforcement Act, 30 ILCS 715/1 et seq.

Section 4: Compliance with State Law

- A. The aforementioned units of government and the ISP shall comply with the provisions of the Intergovernmental Drug Laws Enforcement Act and the rules and regulations promulgated thereunder by the Director of the ISP in forming and operating the Metropolitan Enforcement Group (i.e., KAMEG).

Section 5: Operational Procedures

A. KAMEG Director

1. Will be appointed by the KAMEG Policy Board by Illinois statute.
2. Responsible for the overall direction and supervision of the assigned work force.
3. Will devise, implement, arrange, and administer drug and weapons enforcement training for personnel.
4. Review the utilization and documentation of Official Advanced Funds (OAF) to ensure compliance in accordance with KAMEG policy.
5. Responsible for the reporting of statistical and financial data to the Illinois Criminal Justice Information Authority (ICJIA), or other agencies providing grant funds.
6. Responsible for the submission of grant proposals and monetary requests to ICJIA, or other agency providing grant funding.
7. Responsible for oversight of KAMEG's asset forfeiture program as well as the approval of all expenses of KAMEG funds acquired through asset forfeiture, court fines, and fees.
8. Ensure all search warrants are reviewed by the Director, or Deputy Director, or Field Supervisors. It is also the practice of KAMEG to have search warrants reviewed by the Kankakee County State's Attorney's Office before signing by the judge.
9. Responsible for other duties by the KAMEG Policy Board.

B. KAMEG Deputy Director

1. Appointed by the KAMEG Policy Board with input from the KAMEG Director.
2. Works under the direction of the KAMEG Director.
3. Commander of the KAMEG Street Suppression Unit (Overt Unit).
4. Supervisor of the KAMEG Field Supervisors.
5. Reviews and approves operational plans and search warrants as directed.
6. Ensures the quality checking of all documentation generated by KAMEG Special Agents and Field Supervisors, including but not limited to case reports, OAF reports, and confidential source reports is completed.

C. KAMEG Field Supervisor(s)

1. Appointed by the KAMEG Director with the input of the KAMEG Deputy Director.
2. Responsible for the daily operations of his assigned squad and the direct supervision of the assigned work force. KAMEG has two Field Supervisors, a Field Supervisor for the Street Suppression Unit and a Field Supervisor for the Covert Unit.
3. Develop, implement, and arrange training for personnel assigned to his unit.

4. Review, analyze, document, and approve the use of OAF in accordance with KAMEG policy.
5. Responsible for overtime approval, timekeeping, and submission of Special Agent's time tabulations to their respective parent agencies.
6. Responsible for the quality checking of all documentation generated by Special Agents including but not limited to case reports, monthly OAF reports, and confidential source reports.

D. KAMEG Special Agents (Inspectors)

1. Full-time police officers certified by the Illinois Police Training and Standards Board, from ISP, local, county, or federal agencies. Such officers, prior to appointment, have completed the appropriate training as required by law and may not be subject to any current or pending disciplinary action.
2. Adhere to all laws of the State of Illinois and United States of America.
3. All officers assigned to KAMEG shall maintain compliance with the policies and procedures of their respective agency and KAMEG. In the event of conflict between the policies, the KAMEG policy will apply when that officer is engaged in activities occurring within the scope of KAMEG. KAMEG policy will closely follow or mirror ISP policies especially in regards to use of force, pursuit driving, display and/or discharge of firearms, search warrants and raids.
4. Inspectors will become indemnified upon receiving ISP Inspector credentials from the Director of the Illinois State Police.
5. Officers shall not consume intoxicating beverages while on duty except in the performance of duty, and in those instances, never to the extent that the officer's ability to perform an official assignment or function is impaired.
6. Officer's shall not appear for duty while under the influence of intoxicants to any degree whatsoever or with an odor of intoxicants on their breath.
7. Officer's shall not operate official vehicles after having consumed alcoholic beverages unless such consumption is necessitated by nature of the duty assignment. If an officer does consume alcohol on duty while in the performance of the officer's duties, that the officer will be monitored during the assignment by a supervisor and later inspected by a supervisor, before ending his tour of duty.
8. Agree to participate in the ISP-sanctioned drug testing policy and to submit to an ISP-sanctioned drug test upon entering and/or leaving KAMEG.

Section 6: Other Operational Considerations

- A. KAMEG report writing and case preparation procedures shall be utilized to document enforcement activities undertaken by KAMEG.
- B. All KAMEG operations will be de-conflicted through Chicago HIDTA or ISP STIC de-confliction system.
- C. All confidential sources developed by KAMEG, belong to KAMEG, and are not the sole providence of one officer.

Section 7: Misconduct

- A. Misconduct by officers of KAMEG shall include the following.
 - 1. Commission of a criminal offense.
 - 2. Neglect of duties
 - 3. Violation of unit policies and/or rules of procedures
 - 4. Conduct which may tend to reflect unfavorably upon any of the parties to this agreement.
- B. Upon receipt of a complaint from a law enforcement agency, a State's Attorney's Office, or any other credible source alleging misconduct by a MEG Officer, the following procedures will be initiated:
 - 1. The KAMEG Director will notify the ISP Director through the chain of command and the chief executive of the officer's parent agency.
 - 2. If the complaint is of a minor nature, the inquiry may be conducted by the KAMEG Director or respective agency head.
 - 3. If the complaint is of a criminal nature, the KAMEG Director and the agency head may request a criminal investigation be conducted.
 - 4. If a complaint is verified, the chief executive of the parent agency will implement disciplinary action as deemed necessary. In addition, if a criminal complaint is verified, the information will be forwarded to the appropriate State's Attorney.

Section 8: Contributions of Participating Units

- A. The participating units of local government and the ISP shall make contributions in the form of personnel and/or monetary contributions of at least \$20,000.00 in cash. The KAMEG Policy Board will establish appropriate manpower and monetary levels.
- B. The personnel contributed by participating units of government shall continue to employees of those units and shall be compensated in accordance with their units' regular procedures.

Section 9: Liability Insurance

- A. The State of Illinois, pursuant to Illinois Compiled Statutes, (20 ILCS 405/64.1) will provide liability insurance coverage to the extent permitted by law, to any KAMEG Inspector who is the driver of a motor vehicle owned, leased or controlled by the State of Illinois. Each county or local agency must provide the minimum liability insurance coverage required by law on vehicles titled to them or that are titled to the Kankakee Area Metropolitan Enforcement Group. Each vehicle utilized in KAMEG operations must be insured by the agency/owner. KAMEG has an option of paying for an insurance policy on vehicles used by KAMEG but owned by another agency or owned solely by KAMEG.
- B. Each agency will accept liability, to the extent required by the Illinois Workers' Compensation Act, (Illinois Compiled Statutes, 820 ILCS 305/1 et seq.) for personal injuries occurring to its officers while engaged in KAMEG activities, including but not limited to injuries or damages to the officer or the public arising out of KAMEG business.
- C. Illinois State Police, and/or the State of Illinois shall provide, to the extent permitted by law, representation, and indemnification to KAMEG officers appointed as an Inspector by the Director of the Illinois State Police, in the event that any civil proceedings is commenced against the KAMEG officer alleging the deprivation of a civil or constitutional right arising out of any act or omission occurring within the scope of KAMEG activities provided that such actions were not the result of the KAMEG officer's intentional, willful, or wanton misconduct.
- D. All officers assigned to KAMEG shall maintain compliance with the policies and procedures of their respective agency and KAMEG. In the event of conflict between the policies, the KAMEG policy will apply when that officer is engaged in activities occurring within the scope of KAMEG.
- E. KAMEG policy will closely follow or mirror ISP policies especially in regards to use of force, pursuit driving, display and/or discharge of firearms, search warrants and raids. Firearms training and qualifications are the responsibility of the officer's agency. Furthermore, control and arrest tactics, use of force training, and physical fitness standards are also the responsibility of the officer's agency.
- F. The confidential source procedure shall include strict adherence to KAMEG policy for monetary payments (i.e., witnesses and receipts) and debriefing procedures. It is further understood all informants developed by KAMEG, belong to KAMEG, and are not the sole providence of one officer.
- G. It is the intent of the participating agencies to join together and combine efforts, personnel and sources so that agencies may more fully safeguard the lives, persons and property of their citizens. It is not intended that this intergovernmental agency, KAMEG, created under the Intergovernmental Cooperation Act become a separate suable entity.

Section 10: KAMEG Policy Board

- A. The participating units of local and county government and the ISP shall establish the KAMEG Policy Board in accordance with the Intergovernmental Drug Laws Enforcement Act.
- B. The KAMEG Policy Board shall oversee the financial operations of the unit and make such reports to the ISP. The ISP may require and shall be kept informed of the operations and investigations of KAMEG.

Section 11: Kankakee County Treasurer

- A. For internal control related to cash disbursements, KAMEG will have two signatures on checks. The Kankakee County Treasurer, an elected official, and the KAMEG Director will serve as the two signature(s) on all KAMEG checks for expenditures.

Section 12: Fiscal Year

- A. The fiscal year of KAMEG shall be from July 1 to June 30 of the following year.

Section 13: Amendment

- A. This agreement may be amended at any time by written agreement of all parties. The circumstances related to that change, must be reflected in the meeting minutes of the unit.
- B. Amendments that involve liability and indemnification of Inspectors must be approved by the Director of the Illinois State Police.

Section 14: Compliance with law

- A. All parties shall comply with all applicable local, state, and federal laws and regulations.

Section 15: Severability

- A. If any provision of this agreement is held invalid by a court of competent jurisdiction, then that provision shall be stricken and shall not affect the enforceability of any other provision of this agreement.

Section 16: Termination of Prior Agreements

- A. Upon its effective date, this agreement shall replace all prior agreements of the parties.
- B. The agreement will remain in effect unless there is a change in the chief executive officer in one of the law enforcement participating agencies, or with the Director of the Illinois State Police, the KAMEG Director, or the Kankakee County State's Attorney.
- C. This agreement will remain in effect unless there is a change, whether a deletion or an addition of a participating law enforcement agency.

Section 17: Local, County, and State Government Approval

A. This agreement and any amendment thereto shall be approved by the appropriate governing bodies of the participating units of local and county government and the ISP shall be executed by an authorized signature of the parties.

Kankakee County State's Attorney **Date**

City of Kankakee Police Department **Date**

Village of Bourbonnais Police Department **Date**

Village of Bradley Police Department **Date**

Kankakee County Sheriff's Department **Date**

Illinois State Police **Date**

Revised: *October 30, 2019*