DCJS Process for Officer Decertification

All LEO & JO must be certified
15.2-1706

An Incident occurs that could lead to Decertification
15.2-1707.A or B

Agency must Submit DC-1 Form to DCJS with an Agency executive signature within 48 hours
15.2-1707.A or B

DCJS learns of a Decertification offense from source other than the Agency
15.2-1707.G

DCJS opens file and **requests documentation to substantiate decertification**

DCJS Issues <u>First Notice of Decertification</u> to Officer
CC: Attorney General, Agency Head, DCJS Director, LE Div. Director & Secretary PSHS
15.2-1707.D
(First Notice ONLY: FOIA releasable after Decertification Finalized)

DCJS Issues <u>Notice of Non-Eligibility</u> to Agency

NO FURTHER ACTION REQUIRED

Officer has **30 days** to appeal and request a hearing before the Criminal Justice Services Board Executive Committee
15.2-1708.B

If No Appeal Request is Made…
DCJS Issues <u>Notice of Finalized Decertification</u> to Officer
CC: Attorney General, Agency Head, DCJS Director, Chair of CJSB, and Secretary PSHS
15.2-1708.B
(First Notice & Final Notice ONLY: FOIA releasable after Finalized)

NO FURTHER ACTION REQUIRED

Within **60 days,** Public Hearing **before the CJSB Executive Committee** with the Agency, Officer and Attorney, Attorney General, and any witnesses present
15.2-1708.B

Exec. Committee conducts informal hearing based upon briefing from OAG Attorney, then hears statements from former agency and Appellant/ Attorney/ Witnesses.

- After statements, Exec. Committee moves to closed session to consult with OAG Legal Counsel.
- Upon conclusion, Exec. Committee returns to public session for determinations.

Potential Outcomes: (based upon committee vote in open session)

1) Decertification SUSTAINED
2) REINSTATED eligibility to be certified
3) CONTINUANCE: Committee and appellant may agree to continue for up to 30 days (for vote) or to later planned hearing date, due to related Criminal or employment grievance outcomes. CJSB will reconvene to hear outcomes and then vote to SUSTAIN or REINSTATE.

15.2-1708.B

1) Decertification SUSTAINED

DCJS Issues **<u>Notice of Finalized Decertification</u>** to Officer

Notice contains information on appeal to Circuit Court under Admin. Code Part 2A:2
Officer information entered into the IADLEST National Decertification Index
15.2-1708.D & E

2) REINSTATED

DCJS Issues **<u>Notice of REINSTATEMENT of Eligibility</u>** to be certified as an LEO or JO Officer
15.2-1708.D & E

NO FURTHER ACTION REQUIRED

3) CONTINUANCE

Pending final vote outcome in Open Hearing
1) SUSTAINED or 2) REINSTATED
15.2-1708.E, H

For all outcomes, Notices to reflect SUSTAINED, REINSTATED or CONTINUED determinations by vote of Exec. Committee are sent to the Officer
CC: Attorney General, Agency Head, DCJS Director, Chair of CJSB and Secretary PSHS
15.2-1708.D & E
(Hearing File with all submitted materials, hearing evidence, exhibits, and video, as presented at hearing, are FOIA releasable.)