



Rep. Monique D. Davis

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1 AMENDMENT TO HOUSE BILL 1195

2 AMENDMENT NO. _____. Amend House Bill 1195, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Police Training Act is amended by
6 changing Section 2 and by adding Section 10.12 as follows:

7 (50 ILCS 705/2) (from Ch. 85, par. 502)

8 Sec. 2. Definitions. As used in this Act, unless the
9 context otherwise requires:

10 "Board" means the Illinois Law Enforcement Training
11 Standards Board.

12 "Local governmental agency" means any local governmental
13 unit or municipal corporation in this State. It does not
14 include the State of Illinois or any office, officer,
15 department, division, bureau, board, commission, or agency of
16 the State, except that it does include a State-controlled

1 university, college or public community college.

2 "Police training school" means any school located within
3 the State of Illinois whether privately or publicly owned which
4 offers a course in police or county corrections training and
5 has been approved by the Board.

6 "Probationary police officer" means a recruit law
7 enforcement officer required to successfully complete initial
8 minimum basic training requirements at a police training school
9 to be eligible for permanent full-time employment as a local
10 law enforcement officer.

11 "Probationary part-time police officer" means a recruit
12 part-time law enforcement officer required to successfully
13 complete initial minimum part-time training requirements to be
14 eligible for employment on a part-time basis as a local law
15 enforcement officer.

16 "Permanent police officer" means a law enforcement officer
17 who has completed his or her probationary period and is
18 permanently employed on a full-time basis as a local law
19 enforcement officer by a participating local governmental unit
20 or as a security officer or campus policeman permanently
21 employed by a participating State-controlled university,
22 college, or public community college.

23 "Part-time police officer" means a law enforcement officer
24 who has completed his or her probationary period and is
25 employed on a part-time basis as a law enforcement officer by a
26 participating unit of local government or as a campus policeman

1 by a participating State-controlled university, college, or
2 public community college.

3 "Law enforcement officer" means (i) any police officer of a
4 local governmental agency who is primarily responsible for
5 prevention or detection of crime and the enforcement of the
6 criminal code, traffic, or highway laws of this State or any
7 political subdivision of this State or (ii) any member of a
8 police force appointed and maintained as provided in Section 2
9 of the Railroad Police Act.

10 "Recruit" means any full-time or part-time law enforcement
11 officer or full-time county corrections officer who is enrolled
12 in an approved training course.

13 "Probationary county corrections officer" means a recruit
14 county corrections officer required to successfully complete
15 initial minimum basic training requirements at a police
16 training school to be eligible for permanent employment on a
17 full-time basis as a county corrections officer.

18 "Permanent county corrections officer" means a county
19 corrections officer who has completed his probationary period
20 and is permanently employed on a full-time basis as a county
21 corrections officer by a participating local governmental
22 unit.

23 "County corrections officer" means any sworn officer of the
24 sheriff who is primarily responsible for the control and
25 custody of offenders, detainees or inmates.

26 "Probationary court security officer" means a recruit

1 court security officer required to successfully complete
2 initial minimum basic training requirements at a designated
3 training school to be eligible for employment as a court
4 security officer.

5 "Permanent court security officer" means a court security
6 officer who has completed his or her probationary period and is
7 employed as a court security officer by a participating local
8 governmental unit.

9 "Court security officer" has the meaning ascribed to it in
10 Section 3-6012.1 of the Counties Code.

11 "Police animal" has the meaning ascribed to it in Section
12 2.17b of the Animal Control Act.

13 (Source: P.A. 94-846, eff. 1-1-07.)

14 (50 ILCS 705/10.12 new)

15 Sec. 10.12. Police animal training standards. Beginning
16 July 1, 2012, all police animals used by State and local law
17 enforcement agencies shall be trained by programs that meet the
18 minimum certification requirements set by the Board.

19 Section 10. The Illinois Vehicle Code is amended by
20 changing Section 11-212 as follows:

21 (625 ILCS 5/11-212)

22 (Section scheduled to be repealed on July 1, 2015)

23 Sec. 11-212. Traffic stop statistical study.

1 (a) Whenever a State or local law enforcement officer
2 issues a uniform traffic citation or warning citation for an
3 alleged violation of the Illinois Vehicle Code, he or she shall
4 record at least the following:

5 (1) the name, address, gender, and the officer's
6 subjective determination of the race of the person stopped;
7 the person's race shall be selected from the following
8 list: Caucasian, African-American, Hispanic, Native
9 American/Alaska Native, or Asian/Pacific Islander;

10 (2) the alleged traffic violation that led to the stop
11 of the motorist;

12 (3) the make and year of the vehicle stopped;

13 (4) the date and time of the stop, beginning when the
14 vehicle was stopped and ending when the driver is free to
15 leave or taken into physical custody;

16 (5) the location of the traffic stop;

17 (5.5) whether or not a consent search contemporaneous
18 to the stop was requested of the vehicle, driver,
19 passenger, or passengers; and, if so, whether consent was
20 given or denied;

21 (6) whether or not a search contemporaneous to the stop
22 was conducted of the vehicle, driver, passenger, or
23 passengers; and, if so, whether it was with consent or by
24 other means;

25 (6.2) whether or not a police dog performed a sniff of
26 the vehicle; and, if so, whether or not the dog alerted to

1 the presence of contraband; and, if so, whether or not an
2 officer searched the vehicle; and, if so, whether or not
3 contraband was discovered; and, if so, the type and amount
4 of contraband;

5 (6.5) whether or not contraband was found during a
6 search; and, if so, the type and amount of contraband
7 seized; and

8 (7) the name and badge number of the issuing officer.

9 (b) Whenever a State or local law enforcement officer stops
10 a motorist for an alleged violation of the Illinois Vehicle
11 Code and does not issue a uniform traffic citation or warning
12 citation for an alleged violation of the Illinois Vehicle Code,
13 he or she shall complete a uniform stop card, which includes
14 field contact cards, or any other existing form currently used
15 by law enforcement containing information required pursuant to
16 this Act, that records at least the following:

17 (1) the name, address, gender, and the officer's
18 subjective determination of the race of the person stopped;
19 the person's race shall be selected from the following
20 list: Caucasian, African-American, Hispanic, Native
21 American/Alaska Native, or Asian/Pacific Islander;

22 (2) the reason that led to the stop of the motorist;

23 (3) the make and year of the vehicle stopped;

24 (4) the date and time of the stop, beginning when the
25 vehicle was stopped and ending when the driver is free to
26 leave or taken into physical custody;

1 (5) the location of the traffic stop;

2 (5.5) whether or not a consent search contemporaneous
3 to the stop was requested of the vehicle, driver,
4 passenger, or passengers; and, if so, whether consent was
5 given or denied;

6 (6) whether or not a search contemporaneous to the stop
7 was conducted of the vehicle, driver, passenger, or
8 passengers; and, if so, whether it was with consent or by
9 other means;

10 (6.2) whether or not a police dog performed a sniff of
11 the vehicle; and, if so, whether or not the dog alerted to
12 the presence of contraband; and, if so, whether or not an
13 officer searched the vehicle; and, if so, whether or not
14 contraband was discovered; and, if so, the type and amount
15 of contraband;

16 (6.5) whether or not contraband was found during a
17 search; and, if so, the type and amount of contraband
18 seized; and

19 (7) the name and badge number of the issuing officer.

20 (c) The Illinois Department of Transportation shall
21 provide a standardized law enforcement data compilation form on
22 its website.

23 (d) Every law enforcement agency shall, by March 1 with
24 regard to data collected during July through December of the
25 previous calendar year and by August 1 with regard to data
26 collected during January through June of the current calendar

1 year, compile the data described in subsections (a) and (b) on
2 the standardized law enforcement data compilation form
3 provided by the Illinois Department of Transportation and
4 transmit the data to the Department.

5 (e) The Illinois Department of Transportation shall
6 analyze the data provided by law enforcement agencies required
7 by this Section and submit a report of the previous year's
8 findings to the Governor, the General Assembly, the Racial
9 Profiling Prevention and Data Oversight Board, and each law
10 enforcement agency no later than July 1 of each year. The
11 Illinois Department of Transportation may contract with an
12 outside entity for the analysis of the data provided. In
13 analyzing the data collected under this Section, the analyzing
14 entity shall scrutinize the data for evidence of statistically
15 significant aberrations. The following list, which is
16 illustrative, and not exclusive, contains examples of areas in
17 which statistically significant aberrations may be found:

18 (1) The percentage of minority drivers or passengers
19 being stopped in a given area is substantially higher than
20 the proportion of the overall population in or traveling
21 through the area that the minority constitutes.

22 (2) A substantial number of false stops including stops
23 not resulting in the issuance of a traffic ticket or the
24 making of an arrest.

25 (3) A disparity between the proportion of citations
26 issued to minorities and proportion of minorities in the

1 population.

2 (4) A disparity among the officers of the same law
3 enforcement agency with regard to the number of minority
4 drivers or passengers being stopped in a given area.

5 (5) A disparity between the frequency of searches
6 performed on minority drivers and the frequency of searches
7 performed on non-minority drivers.

8 (f) Any law enforcement officer identification information
9 or driver identification information that is compiled by any
10 law enforcement agency or the Illinois Department of
11 Transportation pursuant to this Act for the purposes of
12 fulfilling the requirements of this Section shall be
13 confidential and exempt from public inspection and copying, as
14 provided under Section 7 of the Freedom of Information Act, and
15 the information shall not be transmitted to anyone except as
16 needed to comply with this Section. This Section shall not
17 exempt those materials that, prior to the effective date of
18 this amendatory Act of the 93rd General Assembly, were
19 available under the Freedom of Information Act. This subsection
20 (f) shall not preclude law enforcement agencies from reviewing
21 data to perform internal reviews.

22 (g) Funding to implement this Section shall come from
23 federal highway safety funds available to Illinois, as directed
24 by the Governor.

25 (h) The Illinois Department of Transportation, in
26 consultation with law enforcement agencies, officials, and

1 organizations, including Illinois chiefs of police, the
2 Department of State Police, the Illinois Sheriffs Association,
3 and the Chicago Police Department, and community groups and
4 other experts, shall undertake a study to determine the best
5 use of technology to collect, compile, and analyze the traffic
6 stop statistical study data required by this Section. The
7 Department shall report its findings and recommendations to the
8 Governor and the General Assembly by March 1, 2004.

9 (i) This Section is repealed on July 1, 2015.

10 (Source: P.A. 95-290, eff. 8-20-07; 96-658, eff. 1-1-10.)

11 Section 99. Effective date. This Act takes effect July 1,
12 2012.".