

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 3. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2605-95 as follows:

7 (20 ILCS 2605/2605-95 new)

8 Sec. 2605-95. Training; police dog training standards.
9 Beginning July 1, 2012, all police dogs used by the Department
10 for drug enforcement purposes pursuant to the Cannabis Control
11 Act (720 ILCS 550/), the Illinois Controlled Substances Act
12 (720 ILCS 570/), and the Methamphetamine Control and Community
13 Protection Act (720 ILCS 646/) shall be trained by programs
14 that meet the certification requirements set by the Director or
15 the Director's designee. Satisfactory completion of the
16 training shall be evidenced by a certificate issued by the
17 Department.

18 Section 5. The Illinois Police Training Act is amended by
19 adding Section 10.12 as follows:

20 (50 ILCS 705/10.12 new)

21 Sec. 10.12. Police dog training standards. Beginning July

1 1, 2012, all police dogs used by State and local law
2 enforcement agencies for drug enforcement purposes pursuant to
3 the Cannabis Control Act (720 ILCS 550/), the Illinois
4 Controlled Substances Act (720 ILCS 570/), and the
5 Methamphetamine Control and Community Protection Act (720 ILCS
6 646/) shall be trained by programs that meet the minimum
7 certification requirements set by the Board.

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

10 (625 ILCS 5/11-212)

11 (Section scheduled to be repealed on July 1, 2015)

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

13 (a) Whenever a State or local law enforcement officer
14 issues a uniform traffic citation or warning citation for an
15 alleged violation of the Illinois Vehicle Code, he or she shall
16 record 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 alleged traffic violation that led to the stop
23 of the motorist;

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

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

4 (5) the location of the traffic stop;

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

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

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

19 (6.5) whether or not contraband was found during a
20 search; and, if so, the type and amount of contraband
21 seized; and

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

23 (b) Whenever a State or local law enforcement officer stops
24 a motorist for an alleged violation of the Illinois Vehicle
25 Code and does not issue a uniform traffic citation or warning
26 citation for an alleged violation of the Illinois Vehicle Code,

1 he or she shall complete a uniform stop card, which includes
2 field contact cards, or any other existing form currently used
3 by law enforcement containing information required pursuant to
4 this Act, that records 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 reason that led to the stop of the motorist;

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

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

15 (5) the location of the traffic stop;

16 (5.5) whether or not a consent search contemporaneous
17 to the stop was requested of the vehicle, driver,
18 passenger, or passengers; and, if so, whether consent was
19 given or denied;

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

24 (6.2) whether or not a police dog performed a sniff of
25 the vehicle; and, if so, whether or not the dog alerted to
26 the presence of contraband; and, if so, whether or not an

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

4 (6.5) whether or not contraband was found during a
5 search; and, if so, the type and amount of contraband
6 seized; and

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

8 (c) The Illinois Department of Transportation shall
9 provide a standardized law enforcement data compilation form on
10 its website.

11 (d) Every law enforcement agency shall, by March 1 with
12 regard to data collected during July through December of the
13 previous calendar year and by August 1 with regard to data
14 collected during January through June of the current calendar
15 year, compile the data described in subsections (a) and (b) on
16 the standardized law enforcement data compilation form
17 provided by the Illinois Department of Transportation and
18 transmit the data to the Department.

19 (e) The Illinois Department of Transportation shall
20 analyze the data provided by law enforcement agencies required
21 by this Section and submit a report of the previous year's
22 findings to the Governor, the General Assembly, the Racial
23 Profiling Prevention and Data Oversight Board, and each law
24 enforcement agency no later than July 1 of each year. The
25 Illinois Department of Transportation may contract with an
26 outside entity for the analysis of the data provided. In

1 analyzing the data collected under this Section, the analyzing
2 entity shall scrutinize the data for evidence of statistically
3 significant aberrations. The following list, which is
4 illustrative, and not exclusive, contains examples of areas in
5 which statistically significant aberrations may be found:

6 (1) The percentage of minority drivers or passengers
7 being stopped in a given area is substantially higher than
8 the proportion of the overall population in or traveling
9 through the area that the minority constitutes.

10 (2) A substantial number of false stops including stops
11 not resulting in the issuance of a traffic ticket or the
12 making of an arrest.

13 (3) A disparity between the proportion of citations
14 issued to minorities and proportion of minorities in the
15 population.

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

19 (5) A disparity between the frequency of searches
20 performed on minority drivers and the frequency of searches
21 performed on non-minority drivers.

22 (f) Any law enforcement officer identification information
23 or driver identification information that is compiled by any
24 law enforcement agency or the Illinois Department of
25 Transportation pursuant to this Act for the purposes of
26 fulfilling the requirements of this Section shall be

1 confidential and exempt from public inspection and copying, as
2 provided under Section 7 of the Freedom of Information Act, and
3 the information shall not be transmitted to anyone except as
4 needed to comply with this Section. This Section shall not
5 exempt those materials that, prior to the effective date of
6 this amendatory Act of the 93rd General Assembly, were
7 available under the Freedom of Information Act. This subsection
8 (f) shall not preclude law enforcement agencies from reviewing
9 data to perform internal reviews.

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

13 (h) The Illinois Department of Transportation, in
14 consultation with law enforcement agencies, officials, and
15 organizations, including Illinois chiefs of police, the
16 Department of State Police, the Illinois Sheriffs Association,
17 and the Chicago Police Department, and community groups and
18 other experts, shall undertake a study to determine the best
19 use of technology to collect, compile, and analyze the traffic
20 stop statistical study data required by this Section. The
21 Department shall report its findings and recommendations to the
22 Governor and the General Assembly by March 1, 2004.

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

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

25 Section 99. Effective date. This Act takes effect July 1,
26 2012.