

1 AN ACT in relation to criminal statistics and law  
2 enforcement.

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

5 Section 5. The Attorney General Act is amended by adding  
6 Section 4.5 as follows:

7 (15 ILCS 205/4.5 new)

8 Sec. 4.5. Criminal statistics compilation and  
9 investigation. Upon the referral of any complaint or report  
10 from the Department of State Police to the Attorney General  
11 or upon receipt of any other complaint involving disparities  
12 in the enforcement of criminal law within the scope of  
13 Section 2605-395 of the Department of State Police Law, the  
14 Attorney General shall investigate the matter. In connection  
15 with the investigation, the Attorney General shall obtain  
16 data under paragraph (8) of that Section. The Attorney  
17 General shall take any remedial or enforcement measures as  
18 the investigation may reveal to be warranted. The Attorney  
19 General shall publish an annual report of activities  
20 undertaken under this Section.

21 Section 10. The Department of State Police Law of the  
22 Civil Administrative Code of Illinois is amended by adding  
23 Section 2605-395 as follows:

24 (20 ILCS 2605/2605-395 new)

25 Sec. 2605-395. Compilation of law enforcement  
26 statistics. The Department shall have the following duties  
27 with respect to the compilation of criminal history record  
28 information:

29 (1) To collect and correlate criminal history record

1 information, including crimes committed, arrests made,  
2 dispositions on preliminary hearings, prosecutions,  
3 convictions, acquittals, punishment, appeals, together with  
4 the age, race or ethnicity, and sex of the offender, and any  
5 other information concerning crime and criminals as may  
6 appear significant or helpful. To correlate this information  
7 with the operations of agencies and institutions charged with  
8 the supervision of offenders sentenced to probation,  
9 conditional discharge, imprisonment in a penal institution,  
10 or periodic imprisonment and to offenders serving a term of  
11 parole or mandatory supervised release, so as to show the  
12 volume, variety, and tendencies of crime and criminals and  
13 the administration of the criminal law in connection with the  
14 arrest, trial, sentencing and the terms and conditions of  
15 parole and mandatory supervised release of all criminals in  
16 this State.

17 (2) To collect, correlate, and maintain the following  
18 information regarding traffic law enforcement by every peace  
19 officer:

20 (a) the number of drivers stopped for routine  
21 traffic enforcement by every peace officer and whether or  
22 not a citation or warning was issued;

23 (b) identifying characteristics of the drivers  
24 stopped, including the race or ethnicity, approximate  
25 age, and sex;

26 (c) the alleged traffic violation that led to the  
27 stop;

28 (d) whether or not a search was instituted as a  
29 result of the stop;

30 (e) whether or not the vehicle, personal effects,  
31 driver, or passenger or passengers were searched, and the  
32 race or ethnicity, approximate age, and sex of each  
33 person searched;

34 (f) whether the search was conducted with consent,

1 probable cause, or reasonable suspicion to suspect a  
2 crime, including the basis for the request for consent,  
3 or the circumstances establishing probable cause or  
4 reasonable suspicion;

5 (g) whether or not any contraband was found and the  
6 type and amount of any contraband;

7 (h) whether or not any written citation or any oral  
8 or written warning was issued as a result of the stop;

9 (i) whether or not an arrest was made as a result  
10 of either the stop or the search;

11 (j) whether or not any property was seized, with a  
12 description of that property;

13 (k) whether or not the officers making the stop  
14 encountered any physical resistance from the driver or  
15 passenger or passengers;

16 (l) whether or not the officers making the stop  
17 engaged in the use of force against the driver,  
18 passenger, or passengers for any reason;

19 (m) whether or not any injuries resulted from the  
20 stop; and

21 (n) whether or not the circumstances surrounding  
22 the stop were the subject of any investigation, and the  
23 results of that investigation.

24 The information required by this paragraph (2) is not  
25 required to be collected in connection with roadblocks,  
26 vehicle checks, or checkpoints that are consistent with the  
27 laws of this State and with the State and federal  
28 constitutions, except when those stops result in a warning,  
29 search, seizure, arrest, or any of the other activity  
30 described in clauses (d) through (n) of this paragraph (2).

31 (3) To make scientific study, analysis, and comparison  
32 from the information so collected and correlated with similar  
33 information gathered by federal agencies, and to provide the  
34 Governor, the Attorney General, and the General Assembly with

1 the information so collected and analyzed annually, or more  
2 often if required by the Governor.

3 (4) Information released under this Section may not  
4 reveal the identity of any individual who is stopped.

5 (5) In analyzing the data collected under this Section,  
6 the Department shall scrutinize the data for evidence of  
7 statistically significant aberrations. The .05 level of  
8 statistical significance shall be presumed to be evidence of  
9 an aberration. The following list, which is illustrative and  
10 not exclusive, contains examples of areas in which  
11 statistically significant aberrations may be found:

12 (a) the percentage of minority drivers or  
13 passengers being stopped in a given area is substantially  
14 higher than the proportion of the overall population in  
15 or traveling through the area that the minority  
16 constitutes;

17 (b) a substantial number of false stops, including  
18 stops not resulting in the issuance of a traffic ticket  
19 or the making of an arrest; and

20 (c) a disparity between the proportion of citations  
21 issued to minorities and the proportion of minorities in  
22 the population.

23 (6) Every law enforcement agency shall collect and  
24 transmit to the Department, in such manner and at such times  
25 as the Department may require, such data as it requires to  
26 enable it to perform its duties under this Section.

27 (7) If the Department receives a complaint regarding  
28 improper criminal law enforcement, it shall refer the  
29 complaint to the Attorney General for investigation.

30 (8) In connection with any investigation, the Department  
31 shall furnish to the Attorney General any and all pertinent  
32 information collected, compiled, or analyzed, including raw  
33 data, under this Section.

34 (9) Any statistically significant aberrations found by

1 the Department shall be referred to the Attorney General for  
2 investigation.

3 (10) From any funds that may be available for these  
4 purposes, the Department may make grants to law enforcement  
5 agencies to aid them in the performance of duties imposed  
6 under paragraph (6) of this Section.

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.