

SB0709



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0709

Introduced 2/8/2007, by Sen. Matt Murphy

SYNOPSIS AS INTRODUCED:

20 ILCS 2640/10
20 ILCS 2640/15

Amends the Statewide Organized Gang Database Act. Provides for reports of police contact with organized gang members or organized gang affiliates. Allows all State's Attorneys to access the database. Authorizes intergovernmental agreements. Requires all local law enforcement agencies to become members of the SWORD system.

LRB095 08565 HLH 28748 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 5. The Statewide Organized Gang Database Act is
5 amended by changing Sections 10 and 15 as follows:

6 (20 ILCS 2640/10)

7 Sec. 10. Duties of the Department. The Department may:

8 (a) provide a uniform reporting format for the entry of
9 pertinent information regarding the report of an arrested
10 organized gang member or organized gang affiliate and the
11 report of a police contact with an organized gang member or
12 organized gang affiliate into SWORD;

13 (b) provide the opportunity for read only access to all
14 Illinois State's Attorneys' offices;

15 (c) notify all law enforcement agencies that reports of
16 arrested organized gang members or organized gang affiliates
17 and reports of a police contact with organized gang members or
18 organized gang affiliates shall be entered into the database as
19 soon as the minimum level of data specified by the Department
20 is available to the reporting agency, and that no waiting
21 period for the entry of that data exists;

22 (d) ~~(e)~~ develop and implement a policy for notifying law
23 enforcement agencies of the emergence of new organized gangs,

1 or the change of a name or other identifying sign by an
2 existing organized gang;

3 (e) ~~(d)~~ compile and retain information regarding organized
4 gangs and their members and affiliates, in a manner that allows
5 the information to be used by law enforcement and other
6 agencies, deemed appropriate by the Director, for
7 investigative purposes; the information shall include but not
8 be limited to gang member contacts with law enforcement, gang
9 contact card information, photographs of gang members'
10 tattoos, gang graffiti, gang member associate information, and
11 vehicle information of organized gang members;

12 (f) ~~(e)~~ compile and maintain a historic data repository
13 relating to organized gangs and their members and affiliates
14 and law enforcement contacts with organized gang members and
15 their affiliates in order to develop and improve techniques
16 utilized by law enforcement agencies and prosecutors in the
17 investigation, apprehension, and prosecution of members and
18 affiliates of organized gangs;

19 (g) ~~(f)~~ create a quality control program regarding
20 confirmation of organized gang membership and organized gang
21 affiliation data, and law enforcement organized gang member
22 contact information, timeliness and accuracy of information
23 entered into SWORD, and performance audits of all entering
24 agencies;

25 (h) ~~(g)~~ locate all law enforcement agencies that could, in
26 the opinion of the Director, benefit from access to SWORD, and

1 notify them of its existence and their ability to participate
2 in the Statewide Organized Gang Database, SWORD; further, the
3 Department is authorized to enter into intergovernmental
4 agreements with local law enforcement agencies to participate
5 and advance the purposes of this Act; and

6 (i) ~~(h)~~ cooperate with all law enforcement agencies wishing
7 to gain access to the SWORD system, and facilitate their entry
8 into the system and their continued maintenance of access to
9 it.

10 (Source: P.A. 87-932.)

11 (20 ILCS 2640/15)

12 Sec. 15. Duties of local law enforcement agencies. All
13 local ~~Local~~ law enforcement agencies shall become ~~who are~~
14 members of the SWORD system ~~and shall~~ ~~may~~:

15 (a) after carrying out any arrest of any individual whom
16 they believe to be a member or affiliate of an organized gang,
17 create or update that individual's electronic file within the
18 SWORD system; ~~and~~

19 (b) after any law enforcement officer of the agency has
20 contact with any individual whom they believe to be a member or
21 affiliate of an organized gang, create or update that
22 individual's electronic file within the SWORD system; and

23 (c) notify the prosecutor of the accused of the accused
24 individual's gang membership or gang affiliate status.

25 (Source: P.A. 87-932.)