



Rep. Eddie Lee Jackson, Sr.

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LRB097 04360 KMW 70225 a

1 AMENDMENT TO SENATE BILL 549

2 AMENDMENT NO. _____. Amend Senate Bill 549 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Metro
5 East Police District Act.

6 Section 3. Definitions.

7 "Commission" means the Metro East Police District
8 Commission.

9 "District" means the Metro East Police District.

10 Section 5. Creation of district. There is created within
11 the County of St. Clair a special district, named the Metro
12 East Police District. The territory of the District shall
13 include the City of East Saint Louis, the Village of Washington
14 Park, the Village of Alorton, and the Village of Brooklyn. The
15 District is created to advance the cause of public safety and

1 law enforcement for the residents of the District.

2 Section 10. Metro East Police District Commission.

3 (a) The governing and administrative powers of the Metro
4 East Police District shall be vested in a body politic and
5 corporate named the Metro East Police District Commission,
6 whose powers are the following:

7 (1) To apply for, accept and expend grants, loans, or
8 appropriations from the State of Illinois, the federal
9 government, any State or federal agency or
10 instrumentality, any unit of local government, or any other
11 person or entity to be used for any of the purposes of the
12 District. The Commission may enter into any agreement with
13 the State of Illinois, the federal government, any State or
14 federal instrumentality, any unit of local government, or
15 any other person or entity in relation to grants, matching
16 grants, loans, or appropriations. The Commission may
17 provide grants, loans, or appropriations for law
18 enforcement purposes to any unit of local government within
19 the District.

20 (2) To enter into contracts or agreements with persons
21 or entities for the supply of goods or services as may be
22 necessary for the purposes of the District.

23 (3) To acquire fee simple title to real property lying
24 within the District and personal property required for its
25 purposes, by gift, purchase, contract, or otherwise for law

1 enforcement purposes including evidence storage, records
2 storage, equipment storage, detainment facilities,
3 training facilities, office space and other purposes of the
4 District. Title shall be taken in the name of the
5 Commission. The Commission may acquire by lease any real
6 property located within the District and personal property
7 found by the Commission to be necessary for its purposes
8 and to which the Commission finds that it need not acquire
9 fee simple title for carrying out of those purposes. The
10 Commission has no eminent domain powers or quick-take
11 powers under this provision.

12 (4) To establish by resolution rules and regulations
13 that the police departments within the District may adopt
14 concerning: officer ethics; the carry and use of weapons;
15 search and seizure procedures; procedures for arrests with
16 and without warrants; alternatives to arrest; the use of
17 officer discretion; strip searches and body cavity
18 searches; profiling; use of reasonable force; use of deadly
19 force; use of authorized less than lethal weapons;
20 reporting uses of force; weapons and ammunition; weapons
21 proficiency and training; crime analysis; purchasing and
22 requisitions; department property; inventory and control;
23 issue and reissue; recruitment; training attendance;
24 lesson plans; remedial training; officer training record
25 maintenance; department animals; response procedures;
26 pursuit of motor vehicles; roadblocks and forcible stops;

1 missing or mentally ill persons; use of equipment; use of
2 vehicle lights and sirens; equipment specifications and
3 maintenance; vehicle safety restraints; authorized
4 personal equipment; protective vests and high risk
5 situations; mobile data access; in-car video and audio;
6 case file management; investigative checklists;
7 informants; cold cases; polygraphs; shift briefings;
8 interviews of witnesses and suspects; line-ups and
9 show-ups; confidential information; juvenile operations;
10 offenders, custody, and interrogation; crime prevention
11 and community interface; critical incident response and
12 planning; hostage negotiation; search and rescue; special
13 events; personnel, equipment, and facility inspections;
14 victim/witness rights, preliminary contact, and follow up;
15 next of kin notification; traffic stops and approaches;
16 speed-measuring devices; DUI procedures; traffic collision
17 reporting and investigation; citation inventory, control
18 and administration; escorts; towing procedures; detainee
19 searches and transportation; search and inventory of
20 vehicles; escape prevention procedures and detainee
21 restraint; sick, injured, and disabled detainees; vehicle
22 safety; holding facility standards; collection and
23 preservation of evidence including but not limited to
24 photos, video, fingerprints, computers, records, DNA
25 samples, controlled substances, weapons, and physical
26 evidence; police report standards and format; submission

1 of evidence to laboratories; follow up of outstanding
2 cases; and application for charges with the State's
3 Attorney, United States Attorney, Attorney General, or
4 other prosecuting authority.

5 Any police department located within the Metro East
6 Police District that does not adopt any rule or regulation
7 established by resolution by the Commission shall not be
8 eligible to receive funds from the Metro East Police
9 District Fund.

10 The adoption of any policies or procedures pursuant to
11 this Section shall not be inconsistent with any rights
12 under current collective bargaining agreements, the
13 Illinois Public Labor Relations Act or other laws governing
14 collective bargaining.

15 (5) No later than one year after the effective date of
16 this Act, to assume for police departments within the
17 District the authority to make application for and accept
18 financial grants or contributions of services from any
19 public or private source for law enforcement purposes.

20 (6) To develop a comprehensive plan for improvement and
21 maintenance of law enforcement facilities within the
22 District.

23 (7) To advance police departments within the District
24 towards accreditation by the national Commission for the
25 Accreditation of Law Enforcement Agencies (CALEA) within 3
26 years after creation of the District.

1 (b) The Commission shall consist of 14 appointed members
2 and 3 ex-officio members. Seven members shall be appointed by
3 the Governor with the advice and consent of the Senate, one of
4 whom shall represent an organization that represents the
5 largest number of police officers employed by the
6 municipalities described by Section 5 of this Act. Four members
7 shall be appointed by the Mayor of East Saint Louis, with the
8 advice and consent of the city council. One member each shall
9 be appointed by the Village Presidents of Washington Park,
10 Alorton, and Brooklyn, with the advice and consent of the
11 respective village boards. All appointed members shall hold
12 office for a term of 2 years ending on December 31 and until
13 their successors are appointed and qualified. The Mayor of East
14 Saint Louis, with the approval of the city council, may serve
15 as one of the members appointed for East Saint Louis, and the
16 Village Presidents of Washington Park, Alorton, and Brooklyn,
17 with the approval of their respective boards, may serve as the
18 member for their respective municipalities.

19 A member may be removed by his or her appointing authority
20 for incompetence, neglect of duty, or malfeasance in office.

21 The Director of the Illinois State Police, or his or her
22 designee, the State's Attorney of St. Clair County, or his or
23 her designee, and the Director of the Southern Illinois Law
24 Enforcement Commission, or his or her designee, shall serve as
25 ex-officio members. Ex-officio members may only vote on matters
26 before the Commission in the event of a tie vote.

1 (c) Any vacancy in the appointed membership of the
2 Commission occurring by reason of the death, resignation,
3 disqualification, removal, or inability or refusal to act of
4 any of the members of the Commission shall be filled by the
5 authority that had appointed the particular member, and for the
6 unexpired term of office of that particular member.

7 (d) The Commission shall hold regular meetings annually for
8 the election of a chair, vice-chair, secretary, and treasurer,
9 for the adoption of a budget, and monthly for other business as
10 may be necessary. The Commission shall establish the duties and
11 responsibilities of its officers by rule. The chair, or any 9
12 members of the Commission, may call special meetings of the
13 Commission. Each member shall take an oath of office for the
14 faithful performance of his or her duties. The Commission may
15 not transact business at a meeting of the Commission unless
16 there is present at the meeting a quorum consisting of at least
17 9 members. Meetings may be held by telephone conference or
18 other communications equipment by means of which all persons
19 participating in the meeting can communicate with each other
20 consistent with the Open Meetings Act.

21 (e) The Commission shall submit to the General Assembly, no
22 later than March 1 of each odd-numbered year, a detailed report
23 covering its operations for the 2 preceding calendar years and
24 a statement of its program for the next 2 years, as provided by
25 Section 3.1 of the General Assembly Organization Act.

26 (f) The Auditor General shall conduct audits of the

1 Commission in the same manner as the Auditor General conducts
2 audits of State agencies under the Illinois State Auditing Act.

3 (g) The Commission is a public body for purposes of the
4 Open Meetings Act and the Freedom of Information Act.

5 (h) This Section is a limitation under subsection (i) of
6 Section 6 of Article VII of the Illinois Constitution on the
7 concurrent exercise by home rule units of powers and functions
8 exercised by the State.

9 Section 15. Disposition of money; income fund. There is
10 created in the custody of the Illinois Finance Authority the
11 Metro East Police District Fund. All moneys received by the
12 Commission shall be deposited in the Fund. The Commission is
13 authorized to use all money received for all purposes and
14 powers set forth in this Act, provided that the Commission and
15 the Illinois Finance Authority enter into an intergovernmental
16 agreement to use the moneys deposited into the Fund solely for
17 the purposes set forth in this Act. The Auditor General shall,
18 at least biennially, audit or cause to be audited all records
19 and accounts of the Commission pertaining to the operation of
20 the District.

21 Section 20. Repealer. This Act is repealed on December 31,
22 2019.

23 Section 50. The Illinois Finance Authority Act is amended

1 by adding Section 825-115 as follows:

2 (20 ILCS 3501/825-115 new)

3 Sec. 825-115. Metro East Police District Fund. The
4 Authority and the Metro East Police District Commission may
5 jointly administer the Metro East Police District Fund. All
6 moneys received by the Commission shall be deposited in the
7 Fund. Upon request of the Commission, the Authority shall
8 provide to the Commission moneys deposited in the Fund,
9 provided that the Commission and the Authority enter into an
10 intergovernmental agreement to use the moneys deposited into
11 the Fund solely for the purposes set forth in the Metro East
12 Police District Act. This Section is repealed on December 31,
13 2019.

14 Section 55. The Illinois State Auditing Act is amended by
15 adding Section 3-1.5 as follows:

16 (30 ILCS 5/3-1.5 new)

17 Sec. 3-1.5. Metro East Police District. The Auditor General
18 shall conduct audits as provided in Sections 10 and 15 of the
19 Metro East Police District Act. This Section is repealed on
20 December 31, 2019.

21 Section 60. The Counties Code is amended by adding Section
22 5-1101.5 as follows:

1 (55 ILCS 5/5-1101.5 new)

2 Sec. 5-1101.5. Metro East Police District. In addition to
3 any fine imposed under Section 5-9-1 of the Unified Code of
4 Corrections, St. Clair County may adopt a mandatory fine of
5 \$100 to be paid by the defendant on a judgment of guilty or a
6 grant of supervision for a felony or a violation of Section
7 11-501 of the Illinois Vehicle Code, when the offense was
8 committed within the corporate limits of a municipality that is
9 located within the Metro East Police District. The clerk of the
10 circuit court shall collect the fines as provided in this
11 subsection and must remit the fines to the Metro East Police
12 District Fund created under Section 15 of the Metro East Police
13 District Act. This Section is repealed on December 31, 2019.

14 Section 65. The Illinois Municipal Code is amended by
15 adding Section 11-74.4-12 as follows:

16 (65 ILCS 5/11-74.4-12 new)

17 Sec. 11-74.4-12. Metro East Police District. A
18 municipality may use moneys from the special tax allocation
19 fund to hire police officers, if the corporate authorities of
20 the municipality determine by ordinance or resolution that, as
21 a result of the development associated with the tax increment
22 financing, more police officers are needed to protect the
23 public health and safety of the residents, and the municipality

1 is: (i) within the territory of the Metro East Police District
2 created under the Metro East Police District Act, or (ii)
3 contiguous to 2 or more municipalities within the territory of
4 the Metro East Police District and having a population of more
5 than 5,000 inhabitants, according to the 2000 federal census.
6 The moneys used to hire police officers may amount to no more
7 than 10% of the funds available.

8 Section 99. Effective date. This Act takes effect January
9 1, 2013."