



Rep. Barbara Flynn Currie

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LRB099 11227 SXM 34118 a

1 AMENDMENT TO HOUSE BILL 3932

2 AMENDMENT NO. _____. Amend House Bill 3932, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Private College Campus Police Act is
6 amended by adding Section 1.5 as follows:

7 (110 ILCS 1020/1.5 new)

8 Sec. 1.5. Records.

9 (a) Information and records in the custody or possession of
10 a campus police department subject to this Act shall be open to
11 inspection or copying as described in this Section to the
12 extent the information and records relate to the members of the
13 campus police department's exercise of the powers of municipal
14 peace officers or county sheriffs, as provided in Section 1 of
15 this Act.

16 (b) The following records are subject to inspection and

1 copying under subsection (a) of this Section:

2 (1) traffic stop and field contact information,
3 including, but not limited to, date, time, location, reason
4 for the stop, whether a search was conducted, disposition,
5 and race and gender of the person stopped;

6 (2) department directives;

7 (3) daily crime log information for all crimes reported
8 to the campus police department that is maintained pursuant
9 to the federal Jeanne Clery Disclosure of Campus Security
10 Policy and Campus Crime Statistics Act, 20 U.S.C. 1092(f)
11 and its implementing regulations, including, but not
12 limited to, the date the crime was reported, the date and
13 time the crime occurred, the nature and location of the
14 crime, and the disposition of the complaint, if known;

15 (4) arrest report information, including, but not
16 limited to, information that identifies the arrestee, when
17 and if available, information detailing any charges
18 relating to the arrest, the time and location of the
19 arrest, the name of the investigating or arresting law
20 enforcement agency, if the individual is detained, the
21 amount of any bail or bond, and the time and date that the
22 individual was received into, discharged from, or
23 transferred from the arresting agency's custody;

24 (5) broadcast radio communications between or among
25 officers and dispatchers of the campus police department
26 concerning traffic stops, field contacts, and arrests; and

1 (6) crime data and statistics that are required to be
2 reported pursuant to the federal Jeanne Clery Disclosure of
3 Campus Security Policy and Campus Crime Statistics Act.

4 (c) The following records are not subject to inspection and
5 copying under subsection (a) of this Section:

6 (1) records that are in the custody or possession of a
7 campus police department that do not pertain to the
8 exercise of power of a municipal peace officer or county
9 sheriff;

10 (2) records regarding employment matters, including
11 grievances and disciplinary matters, unless such records
12 relate to a member of the campus police department's
13 exercise of the powers of a municipal peace officer and a
14 county sheriff;

15 (3) records regarding labor contract negotiations;

16 (4) wage information;

17 (5) information about insurance;

18 (6) records relating to all ongoing investigations or
19 security threats the disclosure of which would jeopardize
20 public safety;

21 (7) records relating to students and related
22 disciplinary proceedings and actions, including, but not
23 limited to, those prohibited by the federal Family
24 Educational Rights and Privacy Act of 1974 and the Illinois
25 Health Insurance Portability and Accountability Act;

26 (8) arrest records protected by the Juvenile Court Act

1 of 1987;

2 (9) records relating to campus building access;

3 (10) records, tapes, and other digital media from
4 campus security cameras;

5 (11) non-criminal campus incident reports; and

6 (12) documents exempted from or not subject to the
7 Freedom of Information Act.

8 (d) A person may request records as described in this
9 Section, and a campus police department shall make records
10 available for public inspection. No fees shall be charged for
11 the first 50 pages of black and white, letter or legal-sized
12 copies. The fee for black and white, letter or legal-sized
13 copies shall not exceed 15 cents per page; for color copies or
14 copies of other sizes, the campus police department may charge
15 up to its actual cost for reproducing the records. A campus
16 police department is not required to copy a record that is
17 published on the department's, college's, or university's
18 Internet website. The campus police department shall notify the
19 requester that the record is available online and direct the
20 requester to the website where the record can be reasonably
21 accessed.

22 (e) Each campus police department shall designate one or
23 more employees to receive requests submitted to the campus
24 police department pursuant to subsection (a) of this Section
25 and ensure that the campus police department responds to
26 requests within 5 business days, or a different period of time

1 if agreed to by the requester and the campus police department.
2 The campus police department may notify a requester that the
3 department requires an additional 5 business days to respond to
4 requests.

5 (f) Each campus police department that maintains an
6 Internet website shall post on its website a brief description
7 of the methods whereby the public may request information and
8 records. If the campus police department does not maintain a
9 website, such information shall be prominently displayed in its
10 offices and made available for inspection and copying. A campus
11 police department may train employees regarding compliance
12 with this Act by using the training program made available by
13 the Office of the Attorney General Public Access Counselor.

14 (g) When a request is made to inspect or copy a record that
15 contains information that would be exempt from disclosure under
16 the Freedom of Information Act (including, but not limited to,
17 exemptions listed in Sections 2.15 and 7 of the Freedom of
18 Information Act), the campus police department may redact the
19 information subject to the exemptions.

20 (h) Any person denied access to any record required to be
21 publicly available under subsection (a) of this Section by a
22 campus police department may file a request for review with the
23 Public Access Counselor not later than 60 days after the date
24 of the denial. The request for review must be in writing,
25 signed by the requester, and include (i) a copy of the request
26 for access to records and (ii) any responses from the campus

1 police department.

2 (i) Upon receipt of a request for review, the Public Access
3 Counselor shall determine whether further action is warranted.
4 If the Public Access Counselor determines that the alleged
5 violation is unfounded, he or she shall so advise the requester
6 and the campus police department, and no further action shall
7 be undertaken. Unless the Public Access Counselor extends the
8 time by no more than 30 business days by sending written notice
9 to the requester and the campus police department that includes
10 a statement of the reasons for the extension in the notice or
11 decides to address the matter without the issuance of a binding
12 opinion, the Attorney General shall examine the issues and the
13 records, shall make findings of fact and conclusions of law,
14 and shall issue to the requester and the campus police
15 department an opinion in response to the request for review
16 within 60 days after its receipt. The opinion shall be binding
17 upon both the requester and the campus police department,
18 subject to review in circuit court. In responding to any
19 request under this Section, the Attorney General may exercise
20 his or her discretion and choose to resolve a request for
21 review by mediation or by a means other than the issuance of a
22 binding opinion. The decision not to issue a binding opinion
23 shall not be reviewable. Upon receipt of a binding opinion
24 concluding that a violation of this Section has occurred, the
25 campus police department shall either take necessary action
26 immediately to comply with the directive of the opinion or

1 shall initiate review proceedings. A binding opinion granting
2 or denying in whole or part the request shall be subject to
3 review in the circuit court of Cook or Sangamon County."