



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4771

by Rep. Kam Buckner

SYNOPSIS AS INTRODUCED:

New Act

Creates the Law Enforcement Data Sharing Act. Provides that a criminal justice agency shall share with a bona fide researcher all criminal justice data and records, including relevant personally identifying information and demographic information, held by that agency relating to: (1) a law enforcement stop, search, or seizure; (2) a warrant, arrest, or citation; (3) participation in a pre-arrest or post-arrest diversion, specialty court, or other alternative resolution program; (4) a criminal charge, disposition, or sentence; (5) a pretrial or posttrial release from custody, or any terms or conditions of release; (6) a grant, order, change in the terms of, or termination of pretrial supervised release, probation, parole, or participation in correctional or rehabilitative programs; or (7) a formal discipline, reclassification, or relocation of any person under criminal sentence or correctional control. Provides that a criminal justice agency shall share with a bona fide researcher all criminal justice data and records, including relevant personally identifying information and demographic information, held by the criminal justice agency that is subject to mandatory or discretionary disclosure to any member of the public under the Freedom of Information Act. Provides that a criminal justice agency may share with a bona fide researcher any other criminal justice data, records, or information, including relevant personally identifying information and demographic information, held by that agency that is responsive to a bona fide researcher's request. Provides that, within 6 months after the effective date of the Act, the Attorney General shall issue guidance to assist criminal justice agencies in complying with the Act's requirements. Provides that a criminal justice agency may assess reasonable fees, not to exceed actual costs, for the search, retrieval, and copying of criminal justice data, records, or information requested under the Act, and may waive fees at their discretion.

LRB104 18273 RTM 31712 b

1 AN ACT concerning government.

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

4 Section 1. Short title. This Act may be cited as the Law
5 Enforcement Data Sharing Act.

6 Section 5. Findings and purpose. The General Assembly
7 finds and declares that:

8 (1) Criminal justice policies and programs that are
9 evidence-based and supported by relevant research result
10 in superior outcomes.

11 (2) State and local agencies record and retain a wide
12 variety of criminal justice data and records, including
13 sensitive information otherwise shielded from public
14 disclosure.

15 (3) If provided access to these data and records, then
16 bona fide researchers could conduct valuable research into
17 criminal justice programs, practices, and outcomes that
18 would benefit public safety and serve the public interest.

19 (4) Bona fide researchers can institute security
20 protocols to protect and safeguard sensitive information,
21 allowing them to safely access data and records that may
22 not be suitable for broader public disclosure.

23 (5) Providing bona fide researchers with access to

1 relevant criminal justice data and records will facilitate
2 and promote criminal justice research, frequently at
3 little to no cost to taxpayers.

4 Section 10. Definitions. As used in this Act:

5 "Bona fide researcher" means any individual or
6 organization who:

7 (1) agrees that any personally identifiable
8 information provided shall be used only for research and
9 statistical activities and shall not be transferred,
10 revealed, or used for purposes other than research or
11 statistical activities, and that reports or publications
12 derived from this information shall not identify specific
13 individuals;

14 (2) certifies that they have secured approval by their
15 institutional review board for the research or statistical
16 project that is the basis of the data access request; and

17 (3) if they are requesting access to any confidential,
18 personally identifiable data, certifies that they have
19 security controls in place to prevent unauthorized access
20 to any confidential, personally identifiable data, and
21 that these controls have met the approval of their
22 institutional review board.

23 "Criminal justice agency" means any court with criminal
24 jurisdiction and any local, county, or State agency that
25 performs any activity directly relating to:

- 1 (1) the detection or investigation of crime;
- 2 (2) the apprehension, pretrial release, posttrial
3 release, prosecution, correctional supervision,
4 rehabilitation, evaluation, or treatment of accused
5 persons or criminal offenders; or
- 6 (3) criminal identification activities or the
7 collection, storage, or dissemination of arrest and
8 criminal records information.

9 "Criminal justice data" means all data collected, created,
10 received, maintained, or disseminated by any criminal justice
11 agency regardless of its physical form, storage media, or
12 conditions of use.

13 "Institutional review board" means any board, committee,
14 or other group that reviews, approves initiation of, and
15 conducts periodic review of research, and which has received
16 accreditation for this purpose or is part of an accredited
17 institution of higher learning.

18 "Record" means any information kept, held, filed, produced
19 or reproduced by, with, or for a criminal justice agency, in
20 any physical or digital form whatsoever, including, but not
21 limited to, reports, statements, examinations, memoranda,
22 opinions, folders, files, books, manuals, pamphlets, forms,
23 papers, designs, drawings, maps, photos, letters, microfilms,
24 computer tapes or discs, rules, regulations, or codes.

25 Section 15. Researcher access to criminal justice data and

1 records.

2 (a) A criminal justice agency shall share with a bona fide
3 researcher all criminal justice data and records, including
4 relevant personally identifying information and demographic
5 information, held by that agency relating to:

6 (1) a law enforcement stop, search, or seizure;

7 (2) a warrant, arrest, or citation;

8 (3) participation in a pre-arrest or post-arrest
9 diversion, specialty court, or other alternative
10 resolution program;

11 (4) a criminal charge, disposition, or sentence;

12 (5) a pretrial or posttrial release from custody, or
13 any terms or conditions of release;

14 (6) a grant, order, change in the terms of, or
15 termination of pretrial supervised release, probation,
16 parole, or participation in correctional or rehabilitative
17 programs; or

18 (7) a formal discipline, reclassification, or
19 relocation of any person under criminal sentence or
20 correctional control.

21 (b) A criminal justice agency shall share with a bona fide
22 researcher all criminal justice data and records, including
23 relevant personally identifying information and demographic
24 information, held by the criminal justice agency that is
25 subject to mandatory or discretionary disclosure to any member
26 of the public under the Freedom of Information Act.

1 (c) A criminal justice agency may share with a bona fide
2 researcher any other criminal justice data, records, or
3 information, including relevant personally identifying
4 information and demographic information, held by the criminal
5 justice agency that is responsive to a bona fide researcher's
6 request.

7 (d) A release of criminal justice data, records, or
8 information under this Section is not considered a release of
9 data, records, or information to the public for the purposes
10 of the Freedom of Information Act and does not waive the right
11 to assert in the future that data, records, or information are
12 excepted from disclosure under the Freedom of Information Act.

13 Section 20. Guidance. Within 6 months after the effective
14 date of this Act, the Attorney General shall issue guidance to
15 assist criminal justice agencies in complying with this Act's
16 requirements, including a process for identifying bona fide
17 researchers and sharing criminal justice data, records, and
18 information with them.

19 Section 25. Fees. A criminal justice agency may assess
20 reasonable fees, not to exceed actual costs, for the search,
21 retrieval, and copying of criminal justice data, records, or
22 information requested under this Act, and may waive fees at
23 its discretion.

1 Section 30. Identifiable information. A bona fide
2 researcher may not identify specific individuals in any report
3 or publications derived from information obtained under this
4 Act.