



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5874

by Rep. Jerry Costello, II

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-99 new

50 ILCS 705/2

50 ILCS 705/7

from Ch. 85, par. 502

from Ch. 85, par. 507

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Department of State Police shall conduct or approve a training program for State police officers concerning procedures against the practice of motorcycle profiling. Amends the Illinois Police Training Act. Provides that the curriculum for probationary police officers which shall be offered by all certified schools shall include courses on motorcycle profiling. Defines "motorcycle profiling".

LRB100 21863 SLF 39658 b

1 AN ACT concerning law enforcement.

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

4 Section 5. The Department of State Police Law of the Civil  
5 Administrative Code of Illinois is amended by adding Section  
6 2605-99 as follows:

7 (20 ILCS 2605/2605-99 new)

8 Sec. 2605-99. Training; motorcycle profiling. The  
9 Department shall conduct or approve a training program for  
10 State police officers concerning procedures against the  
11 practice of motorcycle profiling. In this Section, "motorcycle  
12 profiling" means the illegal use of the fact that a person  
13 rides a motorcycle or wears motorcycle-related paraphernalia  
14 as a factor in deciding to stop and question, take enforcement  
15 action, arrest, or search a person or vehicle with or without a  
16 legal basis under the United States Constitution or Illinois  
17 Constitution.

18 Section 10. The Illinois Police Training Act is amended by  
19 changing Sections 2 and 7 as follows:

20 (50 ILCS 705/2) (from Ch. 85, par. 502)

21 Sec. 2. Definitions. As used in this Act, unless the

1 context otherwise requires:

2 "Board" means the Illinois Law Enforcement Training  
3 Standards Board.

4 "Local governmental agency" means any local governmental  
5 unit or municipal corporation in this State. It does not  
6 include the State of Illinois or any office, officer,  
7 department, division, bureau, board, commission, or agency of  
8 the State, except that it does include a State-controlled  
9 university, college or public community college.

10 "Motorcycle profiling" means the illegal use of the fact  
11 that a person rides a motorcycle or wears motorcycle-related  
12 paraphernalia as a factor in deciding to stop and question,  
13 take enforcement action, arrest, or search a person or vehicle  
14 with or without a legal basis under the United States  
15 Constitution or Illinois Constitution.

16 "Police training school" means any school located within  
17 the State of Illinois whether privately or publicly owned which  
18 offers a course in police or county corrections training and  
19 has been approved by the Board.

20 "Probationary police officer" means a recruit law  
21 enforcement officer required to successfully complete initial  
22 minimum basic training requirements at a police training school  
23 to be eligible for permanent full-time employment as a local  
24 law enforcement officer.

25 "Probationary part-time police officer" means a recruit  
26 part-time law enforcement officer required to successfully

1 complete initial minimum part-time training requirements to be  
2 eligible for employment on a part-time basis as a local law  
3 enforcement officer.

4 "Permanent police officer" means a law enforcement officer  
5 who has completed his or her probationary period and is  
6 permanently employed on a full-time basis as a local law  
7 enforcement officer by a participating local governmental unit  
8 or as a security officer or campus policeman permanently  
9 employed by a participating State-controlled university,  
10 college, or public community college.

11 "Part-time police officer" means a law enforcement officer  
12 who has completed his or her probationary period and is  
13 employed on a part-time basis as a law enforcement officer by a  
14 participating unit of local government or as a campus policeman  
15 by a participating State-controlled university, college, or  
16 public community college.

17 "Law enforcement officer" means (i) any police officer of a  
18 local governmental agency who is primarily responsible for  
19 prevention or detection of crime and the enforcement of the  
20 criminal code, traffic, or highway laws of this State or any  
21 political subdivision of this State or (ii) any member of a  
22 police force appointed and maintained as provided in Section 2  
23 of the Railroad Police Act.

24 "Recruit" means any full-time or part-time law enforcement  
25 officer or full-time county corrections officer who is enrolled  
26 in an approved training course.

1 "Probationary county corrections officer" means a recruit  
2 county corrections officer required to successfully complete  
3 initial minimum basic training requirements at a police  
4 training school to be eligible for permanent employment on a  
5 full-time basis as a county corrections officer.

6 "Permanent county corrections officer" means a county  
7 corrections officer who has completed his probationary period  
8 and is permanently employed on a full-time basis as a county  
9 corrections officer by a participating local governmental  
10 unit.

11 "County corrections officer" means any sworn officer of the  
12 sheriff who is primarily responsible for the control and  
13 custody of offenders, detainees or inmates.

14 "Probationary court security officer" means a recruit  
15 court security officer required to successfully complete  
16 initial minimum basic training requirements at a designated  
17 training school to be eligible for employment as a court  
18 security officer.

19 "Permanent court security officer" means a court security  
20 officer who has completed his or her probationary period and is  
21 employed as a court security officer by a participating local  
22 governmental unit.

23 "Court security officer" has the meaning ascribed to it in  
24 Section 3-6012.1 of the Counties Code.

25 (Source: P.A. 94-846, eff. 1-1-07.)

1 (50 ILCS 705/7) (from Ch. 85, par. 507)

2 Sec. 7. Rules and standards for schools. The Board shall  
3 adopt rules and minimum standards for such schools which shall  
4 include, but not be limited to, the following:

5 a. The curriculum for probationary police officers  
6 which shall be offered by all certified schools shall  
7 include, but not be limited to, courses of procedural  
8 justice, arrest and use and control tactics, search and  
9 seizure, including temporary questioning, civil rights,  
10 human rights, human relations, cultural competency,  
11 including implicit bias and racial and ethnic sensitivity,  
12 criminal law, law of criminal procedure, constitutional  
13 and proper use of law enforcement authority, motorcycle  
14 profiling, vehicle and traffic law including uniform and  
15 non-discriminatory enforcement of the Illinois Vehicle  
16 Code, traffic control and accident investigation,  
17 techniques of obtaining physical evidence, court  
18 testimonies, statements, reports, firearms training,  
19 training in the use of electronic control devices,  
20 including the psychological and physiological effects of  
21 the use of those devices on humans, first-aid (including  
22 cardiopulmonary resuscitation), training in the  
23 administration of opioid antagonists as defined in  
24 paragraph (1) of subsection (e) of Section 5-23 of the  
25 Alcoholism and Other Drug Abuse and Dependency Act,  
26 handling of juvenile offenders, recognition of mental

1 conditions and crises, including, but not limited to, the  
2 disease of addiction, which require immediate assistance  
3 and response and methods to safeguard and provide  
4 assistance to a person in need of mental treatment,  
5 recognition of abuse, neglect, financial exploitation, and  
6 self-neglect of adults with disabilities and older adults,  
7 as defined in Section 2 of the Adult Protective Services  
8 Act, crimes against the elderly, law of evidence, the  
9 hazards of high-speed police vehicle chases with an  
10 emphasis on alternatives to the high-speed chase, and  
11 physical training. The curriculum shall include specific  
12 training in techniques for immediate response to and  
13 investigation of cases of domestic violence and of sexual  
14 assault of adults and children, including cultural  
15 perceptions and common myths of sexual assault and sexual  
16 abuse as well as interview techniques that are trauma  
17 informed, victim centered, and victim sensitive. The  
18 curriculum shall include training in techniques designed  
19 to promote effective communication at the initial contact  
20 with crime victims and ways to comprehensively explain to  
21 victims and witnesses their rights under the Rights of  
22 Crime Victims and Witnesses Act and the Crime Victims  
23 Compensation Act. The curriculum shall also include  
24 training in effective recognition of and responses to  
25 stress, trauma, and post-traumatic stress experienced by  
26 police officers. The curriculum shall also include a block

1 of instruction aimed at identifying and interacting with  
2 persons with autism and other developmental or physical  
3 disabilities, reducing barriers to reporting crimes  
4 against persons with autism, and addressing the unique  
5 challenges presented by cases involving victims or  
6 witnesses with autism and other developmental  
7 disabilities. The curriculum for permanent police officers  
8 shall include, but not be limited to: (1) refresher and  
9 in-service training in any of the courses listed above in  
10 this subparagraph, (2) advanced courses in any of the  
11 subjects listed above in this subparagraph, (3) training  
12 for supervisory personnel, and (4) specialized training in  
13 subjects and fields to be selected by the board. The  
14 training in the use of electronic control devices shall be  
15 conducted for probationary police officers, including  
16 University police officers.

17 b. Minimum courses of study, attendance requirements  
18 and equipment requirements.

19 c. Minimum requirements for instructors.

20 d. Minimum basic training requirements, which a  
21 probationary police officer must satisfactorily complete  
22 before being eligible for permanent employment as a local  
23 law enforcement officer for a participating local  
24 governmental agency. Those requirements shall include  
25 training in first aid (including cardiopulmonary  
26 resuscitation).



1 e. Minimum basic training requirements, which a  
2 probationary county corrections officer must  
3 satisfactorily complete before being eligible for  
4 permanent employment as a county corrections officer for a  
5 participating local governmental agency.

6 f. Minimum basic training requirements which a  
7 probationary court security officer must satisfactorily  
8 complete before being eligible for permanent employment as  
9 a court security officer for a participating local  
10 governmental agency. The Board shall establish those  
11 training requirements which it considers appropriate for  
12 court security officers and shall certify schools to  
13 conduct that training.

14 A person hired to serve as a court security officer  
15 must obtain from the Board a certificate (i) attesting to  
16 his or her successful completion of the training course;  
17 (ii) attesting to his or her satisfactory completion of a  
18 training program of similar content and number of hours  
19 that has been found acceptable by the Board under the  
20 provisions of this Act; or (iii) attesting to the Board's  
21 determination that the training course is unnecessary  
22 because of the person's extensive prior law enforcement  
23 experience.

24 Individuals who currently serve as court security  
25 officers shall be deemed qualified to continue to serve in  
26 that capacity so long as they are certified as provided by

1           this Act within 24 months of June 1, 1997 (the effective  
2           date of Public Act 89-685). Failure to be so certified,  
3           absent a waiver from the Board, shall cause the officer to  
4           forfeit his or her position.

5           All individuals hired as court security officers on or  
6           after June 1, 1997 (the effective date of Public Act  
7           89-685) ~~this amendatory Act of 1996~~ shall be certified  
8           within 12 months of the date of their hire, unless a waiver  
9           has been obtained by the Board, or they shall forfeit their  
10          positions.

11          The Sheriff's Merit Commission, if one exists, or the  
12          Sheriff's Office if there is no Sheriff's Merit Commission,  
13          shall maintain a list of all individuals who have filed  
14          applications to become court security officers and who meet  
15          the eligibility requirements established under this Act.  
16          Either the Sheriff's Merit Commission, or the Sheriff's  
17          Office if no Sheriff's Merit Commission exists, shall  
18          establish a schedule of reasonable intervals for  
19          verification of the applicants' qualifications under this  
20          Act and as established by the Board.

21          g. Minimum in-service training requirements, which a  
22          police officer must satisfactorily complete every 3 years.  
23          Those requirements shall include constitutional and proper  
24          use of law enforcement authority, procedural justice,  
25          civil rights, human rights, mental health awareness and  
26          response, and cultural competency.

1           h. Minimum in-service training requirements, which a  
2           police officer must satisfactorily complete at least  
3           annually. Those requirements shall include law updates and  
4           use of force training which shall include scenario based  
5           training, or similar training approved by the Board.

6           (Source: P.A. 99-352, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642,  
7           eff. 7-28-16; 99-801, eff. 1-1-17; 100-121, eff. 1-1-18;  
8           100-247, eff. 1-1-18; revised 10-3-17.)