



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3961

Introduced 1/10/2012, by Rep. Monique D. Davis

SYNOPSIS AS INTRODUCED:

New Act

Creates the Law Enforcement Officer Stun Gun and Taser Use Reporting Act. Provides that beginning January 1, 2013 until December 31, 2017, subsequent to the use of a stun gun or taser by a State or local law enforcement officer to subdue a subject, the officer shall record certain information concerning the tased person. Provides that every law enforcement agency shall, by March 1 with regard to data collected during July through December of the previous calendar year and by August 1 with regard to data collected during January through June of the current calendar year, compile the data on the standardized law enforcement data compilation form provided by the University of Illinois and transmit the data to the University. Provides that the University of Illinois shall analyze the data provided by law enforcement agencies required by the Act and submit a report of the previous year's findings to the Governor, the General Assembly, and each law enforcement agency no later than July 1 of each year. Repeals the Act on July 1, 2018.

LRB097 16272 RLC 61585 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning reports of stun gun and taser use by law
2 enforcement officers.

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

5 Section 1. Short title. This Act may be cited as the Law
6 Enforcement Officer Stun Gun and Taser Use Reporting Act.

7 Section 5. Taser Reporting.

8 (a) Beginning January 1, 2013 until December 31, 2017,
9 subsequent to the use of a stun gun or taser by a State or local
10 law enforcement officer to subdue a subject, the officer shall
11 record the following information:

12 (1) the name, address, gender, age, and the officer's
13 subjective determination of the race of the person who was
14 tased; the person's race shall be selected from the
15 following list: American Indian or Alaska Native, Asian,
16 Black or African American, Hispanic or Latino, Native
17 Hawaiian or Other Pacific Islander, or White;

18 (2) the alleged violation that led to the tasing of
19 the subject;

20 (3) the date and time of the incident, beginning when
21 the person was approached by the officer and ending when
22 the subject was free to leave or taken into physical
23 custody;

- 1 (4) the location of the incident;
- 2 (5) the type of crime or incident the subject was
3 involved in;
- 4 (6) determination of whether deadly force would have
5 been justified;
- 6 (7) investigative statements of:
 - 7 (i) the subject,
 - 8 (ii) all personnel who used a stun gun or taser in
9 the incident, and
 - 10 (iii) all witnesses;
- 11 (8) the type and brand of stun gun or taser used;
- 12 (9) the number of activations, the duration of each
13 cycle, the duration between activations, and (as best as
14 can be determined) the duration that the subject received
15 applications;
- 16 (10) the level of aggression encountered;
- 17 (11) any weapons possessed by the subject;
- 18 (12) the range at which the stun gun or taser was used;
- 19 (13) the type of mode used (probe deployment or drive
20 stun);
- 21 (14) the point of probe impact on a subject with the
22 device in probe mode;
- 23 (15) the point of impact on a subject with the device
24 in drive stun mode;
- 25 (16) location of missed probes;
- 26 (17) terrain and weather conditions during stun gun or

1 taser use;

2 (18) lighting conditions;

3 (19) the type of cartridge used;

4 (20) suspicion that subject was under the influence of
5 drugs (specify drug or drugs if available);

6 (21) medical care provided to the subject;

7 (22) any injuries incurred by personnel or the subject;

8 and

9 (23) the name and badge number of the issuing officer.

10 (b) The University of Illinois shall provide a standardized
11 law enforcement data compilation form on its website.

12 (c) Every law enforcement agency shall, by March 1 with
13 regard to data collected during July through December of the
14 previous calendar year and by August 1 with regard to data
15 collected during January through June of the current calendar
16 year, compile the data described in subsection (a) on the
17 standardized law enforcement data compilation form provided by
18 the University of Illinois and transmit the data to the
19 University.

20 (d) The University of Illinois shall analyze the data
21 provided by law enforcement agencies required by this Section
22 and submit a report of the previous year's findings to the
23 Governor, the General Assembly, and each law enforcement agency
24 no later than July 1 of each year. The University of Illinois
25 may contract with an outside entity for the analysis of the
26 data provided. In analyzing the data collected under this

1 Section, the analyzing entity shall scrutinize the data for
2 evidence of statistically significant aberrations.

3 (e) For purposes of this Section:

4 (1) "American Indian or Alaska Native" means a person
5 having origins in any of the original peoples of North and
6 South America, including Central America, and who
7 maintains tribal affiliation or community attachment.

8 (2) "Asian" means a person having origins in any of the
9 original peoples of the Far East, Southeast Asia, or the
10 Indian subcontinent, including, but not limited to,
11 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
12 the Philippine Islands, Thailand, and Vietnam.

13 (3) "Black or African American" means a person having
14 origins in any of the black racial groups of Africa. Terms
15 such as "Haitian" or "Negro" can be used in addition to
16 "Black or African American".

17 (4) "Hispanic or Latino" means a person of Cuban,
18 Mexican, Puerto Rican, South or Central American, or other
19 Spanish culture or origin, regardless of race.

20 (5) "Native Hawaiian or Other Pacific Islander" means a
21 person having origins in any of the original peoples of
22 Hawaii, Guam, Samoa, or other Pacific Islands.

23 (6) "Stun gun or taser" has the meaning ascribed to the
24 term in Section 24-1 of the Criminal Code of 1961.

25 (7) "White" means a person having origins in any of the
26 original peoples of Europe, the Middle East, or North

1 Africa.

2 Section 10. Repeal. This Act is repealed on July 1, 2018.