



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0131

Introduced 1/10/2013, 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, 2014 until December 31, 2018, 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 Illinois Criminal Justice Information Authority and transmit the data to the Authority. Provides that the Illinois Criminal Justice Information Authority 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, 2019.

LRB098 02935 RLC 32949 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, 2014 until December 31, 2018,
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 Illinois Criminal Justice Information Authority

11 shall provide a standardized law enforcement data compilation

12 form on its website.

13 (c) Every law enforcement agency shall, by March 1 with

14 regard to data collected during July through December of the

15 previous calendar year and by August 1 with regard to data

16 collected during January through June of the current calendar

17 year, compile the data described in subsection (a) on the

18 standardized law enforcement data compilation form provided by

19 the Illinois Criminal Justice Information Authority and

20 transmit the data to the Authority.

21 (d) The Illinois Criminal Justice Information Authority

22 shall analyze the data provided by law enforcement agencies

23 required by this Section and submit a report of the previous

24 year's findings to the Governor, the General Assembly, and each

25 law enforcement agency no later than July 1 of each year. The

26 Illinois Criminal Justice Information Authority may contract

1 with an outside entity for the analysis of the data provided.
2 In analyzing the data collected under this Section, the
3 analyzing entity shall scrutinize the data for evidence of
4 statistically significant aberrations.

5 (e) For purposes of this Section:

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

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

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

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

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

25 (6) "Stun gun or taser" has the meaning ascribed to the
26 term in Section 24-1 of the Criminal Code of 2012.

1 (7) "White" means a person having origins in any of the
2 original peoples of Europe, the Middle East, or North
3 Africa.

4 Section 10. Repeal. This Act is repealed on July 1, 2019.