



Rep. Barbara Flynn Currie

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LRB099 11227 SXM 34672 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 cases in which a member of the campus police
13 department's exercise of the powers of a municipal peace
14 officer or a county sheriff results in the imposition of
15 discipline; however, nothing in this subdivision (2) shall
16 be construed to limit, alter, or modify any of the terms,
17 conditions, or provisions of a collective bargaining
18 agreement existing on the effective date of this amendatory
19 Act of the 99th General Assembly, and nothing in this
20 subdivision (2) precludes a private college or private
21 university and the exclusive bargaining representative
22 from agreeing to and implementing this subdivision (2)
23 prior to the termination of the existing collective
24 bargaining agreement;

25 (3) records regarding labor contract negotiations;

26 (4) wage information;

1 (5) information about insurance;

2 (6) records relating to all ongoing investigations or
3 security threats the disclosure of which would jeopardize
4 public safety;

5 (7) records relating to students and related
6 disciplinary proceedings and actions, including, but not
7 limited to, those prohibited by the federal Family
8 Educational Rights and Privacy Act of 1974 and the Illinois
9 Health Insurance Portability and Accountability Act;

10 (8) arrest records protected by the Juvenile Court Act
11 of 1987;

12 (9) records relating to campus building access;

13 (10) records, tapes, and other digital media from
14 campus security cameras;

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

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

18 (d) A person may request records as described in this
19 Section, and a campus police department shall make records
20 available for public inspection. No fees shall be charged for
21 the first 50 pages of black and white, letter or legal-sized
22 copies. The fee for black and white, letter or legal-sized
23 copies shall not exceed 15 cents per page; for color copies or
24 copies of other sizes, the campus police department may charge
25 up to its actual cost for reproducing the records. A campus
26 police department is not required to copy a record that is

1 published on the department's, college's, or university's
2 Internet website. The campus police department shall notify the
3 requester that the record is available online and direct the
4 requester to the website where the record can be reasonably
5 accessed.

6 (e) Each campus police department shall designate one or
7 more employees to receive requests submitted to the campus
8 police department pursuant to subsection (a) of this Section
9 and ensure that the campus police department responds to
10 requests within 5 business days, or a different period of time
11 if agreed to by the requester and the campus police department.
12 The campus police department may notify a requester that the
13 department requires an additional 5 business days to respond to
14 requests.

15 (f) Each campus police department that maintains an
16 Internet website shall post on its website a brief description
17 of the methods whereby the public may request information and
18 records. If the campus police department does not maintain a
19 website, such information shall be prominently displayed in its
20 offices and made available for inspection and copying. A campus
21 police department may train employees regarding compliance
22 with this Act by using the training program made available by
23 the Office of the Attorney General Public Access Counselor.

24 (g) When a request is made to inspect or copy a record that
25 contains information that would be exempt from disclosure under
26 the Freedom of Information Act (including, but not limited to,

1 exemptions listed in Sections 2.15 and 7 of the Freedom of
2 Information Act), the campus police department may redact the
3 information subject to the exemptions.

4 (h) Any person denied access to any record required to be
5 publicly available under subsection (a) of this Section by a
6 campus police department may file a request for review with the
7 Public Access Counselor not later than 60 days after the date
8 of the denial. The request for review must be in writing,
9 signed by the requester, and include (i) a copy of the request
10 for access to records and (ii) any responses from the campus
11 police department.

12 (i) Upon receipt of a request for review, the Public Access
13 Counselor shall determine whether further action is warranted.
14 If the Public Access Counselor determines that the alleged
15 violation is unfounded, he or she shall so advise the requester
16 and the campus police department, and no further action shall
17 be undertaken. Unless the Public Access Counselor extends the
18 time by no more than 30 business days by sending written notice
19 to the requester and the campus police department that includes
20 a statement of the reasons for the extension in the notice or
21 decides to address the matter without the issuance of a binding
22 opinion, the Attorney General shall examine the issues and the
23 records, shall make findings of fact and conclusions of law,
24 and shall issue to the requester and the campus police
25 department an opinion in response to the request for review
26 within 60 days after its receipt. The opinion shall be binding

1 upon both the requester and the campus police department,
2 subject to review in circuit court. In responding to any
3 request under this Section, the Attorney General may exercise
4 his or her discretion and choose to resolve a request for
5 review by mediation or by a means other than the issuance of a
6 binding opinion. The decision not to issue a binding opinion
7 shall not be reviewable. Upon receipt of a binding opinion
8 concluding that a violation of this Section has occurred, the
9 campus police department shall either take necessary action
10 immediately to comply with the directive of the opinion or
11 shall initiate review proceedings. A binding opinion granting
12 or denying in whole or part the request shall be subject to
13 review in the circuit court of Cook or Sangamon County."