



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB2392

Introduced 2/3/2016, by Sen. Mattie Hunter

#### SYNOPSIS AS INTRODUCED:

New Act

20 ILCS 2605/2605-98 new

20 ILCS 2610/40 new

30 ILCS 105/5.875 new

50 ILCS 705/7

from Ch. 85, par. 507

50 ILCS 705/10.17

Creates the Control Device Use by Law Enforcement Act. Provides that law enforcement agencies must equip each of its patrol vehicles with an electronic control device (such as a stun gun or taser), or non-lethal control device, to assist with the apprehension of suspects that are less likely to cause great bodily harm to the suspect, officer, or general public, on or before July 1, 2017. Provides that Crisis Intervention Training shall be mandated for all law enforcement officers by January 1, 2018. Provides that the Illinois Law Enforcement Training Standards Board shall include Crisis Intervention Training and training on the proper use of electronic control devices for initial minimum training requirements for law enforcement officers by January 1, 2017. Amends the State Finance Act to create the Law Enforcement Control Device Fund for grants to law enforcement for purchasing control devices. Makes other conforming changes. Effective September 1, 2016.

LRB099 16988 SLF 41337 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 1. Short title. This Act may be cited as the  
5 Control Device Use by Law Enforcement Act.

6 Section 5. Definitions. In this Act:

7 "Board" means the Illinois Law Enforcement Training  
8 Standards Board created by the Illinois Police Training Act.

9 "Electronic control device" means: (i) any device which is  
10 powered by electrical charging units, such as, batteries, and  
11 which fires one or several barbs attached to a length of wire  
12 and which, upon hitting a human, can send out a current capable  
13 of disrupting the person's nervous system in such a manner as  
14 to render the person incapable of normal functioning; or (ii)  
15 any device which is powered by electrical charging units, such  
16 as batteries, and which, upon contact with a human or clothing  
17 worn by a human, can send out current capable of disrupting the  
18 person's nervous system in such a manner as to render the  
19 person incapable of normal functioning.

20 "Law enforcement officer" or "officer" means any person,  
21 agent, or employee of this State, a unit of local government,  
22 or college or university, authorized by law or by a government  
23 agency to engage in or supervise the prevention, detection, or

1 investigation of any violation of criminal law.

2 "Law enforcement agency" means all State agencies with law  
3 enforcement officers, county sheriff's offices, municipal,  
4 special district, college, university, or unit of local  
5 government police departments.

6 "Non-lethal control device" means any device for use in  
7 crowd control or self-defense capable of using chemical agent  
8 sprays, lights, rubber projectiles, or similar mechanisms,  
9 which reduces or minimizes the risk of serious injury to a  
10 person against whom it is used.

11 Section 10. Control device requirements. On or before July  
12 1, 2017, each law enforcement agency must equip each of its  
13 patrol vehicles with at least one electronic control device or  
14 other non-lethal control device capable of assisting law  
15 enforcement officers with apprehension of a suspect or  
16 protecting the officer from harm, without causing great bodily  
17 harm to the officer, suspect, or members of the public.

18 Section 15. Rules. On or before January 1, 2017, the Board  
19 shall develop model rules for the use of electronic control  
20 devices and non-lethal control devices by law enforcement  
21 officers to be adopted by law enforcement agencies.

22 Section 20. Fund. The Law Enforcement Control Device Fund  
23 is created as a special fund in the State treasury. From

1 appropriations to the Board from the Fund, the Board shall  
2 adopt requirements for the distribution of grant moneys and  
3 must make grants to units of State and local government in this  
4 State for the purpose of purchasing electronic control devices  
5 or other non-lethal control devices. Money received for the  
6 purposes of this Section, including, without limitation, fee  
7 receipts and gifts, grants and awards from any public or  
8 private entity, must be deposited into the Fund. Any interest  
9 earned on moneys in the Fund must be deposited into the Fund.

10 Section 105. The Department of State Police Law of the  
11 Civil Administrative Code of Illinois is amended by adding  
12 Section 2605-98 as follows:

13 (20 ILCS 2605/2605-98 new)

14 Sec. 2605-98. Crisis intervention training.

15 (a) For purposes of this Section, "mental illness" means a  
16 mental, or emotional disorder that substantially impairs a  
17 person's thought, perception of reality, emotional process,  
18 judgment, behavior, or ability to cope with the ordinary  
19 demands of life. For purposes of this Section, "mental illness"  
20 also includes a developmental disability, dementia,  
21 Alzheimer's disease, or a substance abuse disorder.

22 (b) The Department shall conduct or approve a standard  
23 curriculum for a certified training program in crisis  
24 intervention addressing specialized policing responses to

1 persons with mental illnesses and situations involving  
2 domestic violence. The Department shall conduct Crisis  
3 Intervention Team (CIT) training programs to train officers to  
4 identify signs and symptoms of mental illness, identify signs  
5 and behaviors of domestic violence victims and perpetrators, to  
6 de-escalate situations involving persons who appear to have a  
7 mental illness and situations involving domestic violence, and  
8 connect persons in crisis to treatment, emergency assistance,  
9 or other necessary services. The Department may partner with  
10 local mental health organizations and providers in developing  
11 and assisting with crisis intervention programming. Officers  
12 who have successfully completed this program shall be issued a  
13 certificate attesting to their attendance of a Crisis  
14 Intervention Team (CIT) training program. All State Police  
15 officers must complete at least one Crisis Intervention Team  
16 (CIT) training program prior to January 1, 2018.

17 Section 110. The State Police Act is amended by adding  
18 Section 40 as follows:

19 (20 ILCS 2610/40 new)

20 Sec. 40. Electronic control devices. The Department must  
21 comply with the Control Device Use by Law Enforcement Act and  
22 shall adhere to the minimum in-service training requirements  
23 for annual training in the use of electronic control devices  
24 under that Act.

1 Section 115. The State Finance Act is amended by adding  
2 Section 5.875 as follows:

3 (30 ILCS 105/5.875 new)

4 Sec. 5.875. The Law Enforcement Control Device Fund.

5 Section 120. The Illinois Police Training Act is amended by  
6 changing Section 7 and by changing Section 10.17 as added by  
7 Public Act 92-261 as follows:

8 (50 ILCS 705/7) (from Ch. 85, par. 507)

9 Sec. 7. Rules and standards for schools. The Board shall  
10 adopt rules and minimum standards for such schools which shall  
11 include but not be limited to the following:

12 a. The curriculum for probationary police officers which  
13 shall be offered by all certified schools shall include but not  
14 be limited to courses of procedural justice, arrest and use and  
15 control tactics, search and seizure, including temporary  
16 questioning, civil rights, human rights, human relations,  
17 cultural competency, including implicit bias and racial and  
18 ethnic sensitivity, criminal law, law of criminal procedure,  
19 constitutional and proper use of law enforcement authority,  
20 vehicle and traffic law including uniform and  
21 non-discriminatory enforcement of the Illinois Vehicle Code,  
22 traffic control and accident investigation, techniques of

1 obtaining physical evidence, court testimonies, statements,  
2 reports, firearms training, training in the use of electronic  
3 control devices, including the psychological and physiological  
4 effects of the use of those devices on humans, first-aid  
5 (including cardiopulmonary resuscitation), training in the  
6 administration of opioid antagonists as defined in paragraph  
7 (1) of subsection (e) of Section 5-23 of the Alcoholism and  
8 Other Drug Abuse and Dependency Act, handling of juvenile  
9 offenders, recognition of mental conditions, including, but  
10 not limited to, the disease of addiction, which require  
11 immediate assistance and methods to safeguard and provide  
12 assistance to a person in need of mental treatment, recognition  
13 of abuse, neglect, financial exploitation, and self-neglect of  
14 adults with disabilities and older adults, as defined in  
15 Section 2 of the Adult Protective Services Act, crimes against  
16 the elderly, law of evidence, the hazards of high-speed police  
17 vehicle chases with an emphasis on alternatives to the  
18 high-speed chase, and physical training. The curriculum shall  
19 include specific training in techniques for immediate response  
20 to and investigation of cases of domestic violence and of  
21 sexual assault of adults and children, including cultural  
22 perceptions and common myths of rape as well as interview  
23 techniques that are trauma informed, victim centered, and  
24 victim sensitive. The curriculum shall include training in  
25 techniques designed to promote effective communication at the  
26 initial contact with crime victims and ways to comprehensively

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

19 b. Minimum courses of study, attendance requirements and  
20 equipment requirements.

21 c. Minimum requirements for instructors.

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



1 (including cardiopulmonary resuscitation).

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

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

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

23 Individuals who currently serve as court security officers  
24 shall be deemed qualified to continue to serve in that capacity  
25 so long as they are certified as provided by this Act within 24  
26 months of June 1, 1997 (the effective date of Public Act

1 89-685) ~~this amendatory Act of 1996~~. Failure to be so  
2 certified, absent a waiver from the Board, shall cause the  
3 officer to forfeit his or her position.

4 All individuals hired as court security officers on or  
5 after the effective date of this amendatory Act of 1996 shall  
6 be certified within 12 months of the date of their hire, unless  
7 a waiver has been obtained by the Board, or they shall forfeit  
8 their positions.

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

18 g. Minimum in-service training requirements, which a  
19 police officer must satisfactorily complete every 3 years.  
20 Those requirements shall include constitutional and proper use  
21 of law enforcement authority, procedural justice, civil  
22 rights, human rights, ~~and~~ cultural competency, and crisis  
23 intervention team training under Section 10.17 of this Act.

24 h. Minimum in-service training requirements, which a  
25 police officer must satisfactorily complete at least annually.  
26 Those requirements shall include law updates and use of force

1 training which shall include training in the use of an  
2 electronic control device and scenario based training, or  
3 similar training approved by the Board.

4 (Source: P.A. 98-49, eff. 7-1-13; 98-358, eff. 1-1-14; 98-463,  
5 eff. 8-16-13; 98-756, eff. 7-16-14; 99-352, eff. 1-1-16;  
6 99-480, eff. 9-9-15; revised 10-20-15.)

7 (50 ILCS 705/10.17)

8 Sec. 10.17. Crisis intervention team training.

9 (a) For purposes of this Section, "mental illness" means a  
10 mental, or emotional disorder that substantially impairs a  
11 person's thought, perception of reality, emotional process,  
12 judgment, behavior, or ability to cope with the ordinary  
13 demands of life. For purposes of this Section, "mental illness"  
14 also includes a developmental disability, dementia,  
15 Alzheimer's disease, or a substance abuse disorder.

16 (b) The Illinois Law Enforcement Training and Standards  
17 Board shall develop and approve a standard curriculum for a  
18 certified training program in crisis intervention addressing  
19 specialized policing responses to people with mental illnesses  
20 and situations involving domestic violence. The Board shall  
21 conduct Crisis Intervention Team (CIT) training programs that  
22 train officers to identify signs and symptoms of mental  
23 illness, identify signs and behaviors of domestic violence  
24 victims and perpetrators, to de-escalate situations involving  
25 individuals who appear to have a mental illness and situations

1 involving domestic violence, and connect persons ~~that person~~ in  
2 crisis to treatment, emergency assistance, or other necessary  
3 services. The Board may partner with local mental health  
4 organizations and providers in developing and assisting with  
5 crisis intervention programming. Officers who have  
6 successfully completed this program shall be issued a  
7 certificate attesting to their attendance of a Crisis  
8 Intervention Team (CIT) training program. Beginning January 1,  
9 2017, all probationary officers, including probationary  
10 part-time officers and university police officers, shall be  
11 required to complete Crisis Intervention Team (CIT) training as  
12 part of initial minimum basic training requirements. All  
13 permanent police officers, part-time officers, and university  
14 officers must complete at least one Crisis Intervention Team  
15 (CIT) training program prior to January 1, 2018.

16 (Source: P.A. 99-261, eff. 1-1-16.)

17 Section 999. Effective date. This Act takes effect  
18 September 1, 2016.