



A new policing standard

With ‘community-focused’ law enforcement as goal, Illinois lawmakers’ bipartisan effort produces sweeping reform bill

by Illinois Rep. Elgie Sims (Repsims34@gmail.com)

Recently, it seems we have been bombarded with images from around the country involving law enforcement and the public, and these incidents have served to shake public and police confidence and oftentimes call into question the good work done by our men and women in law enforcement.

Unfortunately, there have been hundreds of deadly encounters involving citizens and police over the last several years; according to *The Washington Post*, nearly 600 people have been shot and killed by police so far this year.

These disturbing statistics dictate that something be done by the federal and state governments to improve relations and provide new tools for members of law enforcement as they engage the public.

Following the president’s lead

In response to events last year, President Obama appointed a federal task force to focus on best practices, strengthen trust and collaboration, and enter the next phase of community-focused policing.

During the spring session of the Illinois General Assembly, we set out to come up with proactive, comprehensive solutions to increase public safety, provide for better delivery of police service, and improve trust and relations between officers and the communities they serve and protect. After months of negotiations, we were able to pass SB 1304, the Police and Community Relations Improvement and Law Enforcement Officer Worn Body Camera Act.

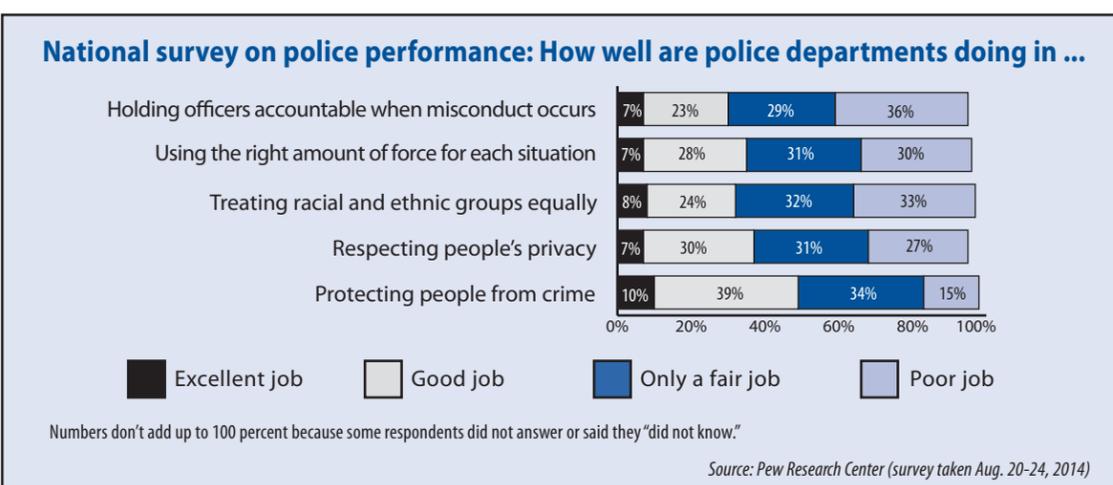
Building trust is an essential element of relations between the community and law enforcement — and one of the key goals of SB 1304. Despite police being better equipped, trained and organized to eliminate crime, regrettably there seems to be a growing disparity among certain communities in their confidence in law enforcement, according to a recent Gallup poll.

During discussions on SB 1304, stakeholders determined that in order to gain public acceptance of actions involving law enforcement, its decisions and actions must be transparent.

Under SB 1304, all law enforcement agencies are required to establish a written policy requiring an independent agency to investigate officer-involved deaths. These investigators must provide their findings to the local state’s attorney and make their report public if no charges are filed against the officer(s) involved. Additionally, the process for requesting special prosecutors was expanded to authorize “any interested party” to file a petition seeking to remove a prosecutor, with the ultimate determination to be made by the court.

Comprehensive training and education — one of the best tools we can offer to help our men and women in law enforcement deliver the best services possible — is another key element of SB 1304.

The bill, for example, includes an annual in-service training requirement, which must include education on updates to the law as well as scenario-based training on the use of force. (One of the use-of-force



issues addressed in the bill, too, is a prohibition on the use of chokeholds by law enforcement, unless deadly force is justified.)

New triennial training, meanwhile, will cover such issues as procedural justice, constitutional and proper use of police authority, civil rights, cultural competency, implicit bias, and identifying sexual abuse or substance dependency.

Improving insight into police performance requires adequate data, and SB 1304 includes various monthly data-collection requirements, such as on arrest-related deaths, firearm discharges by officers causing non-fatal injuries, instances of hate crimes and domestic crimes, and incidents reported to police by schools.

Further, the state’s current racial-profiling study is expanded to include pedestrian stops, with officers required to fill out “receipts” for individuals who are frisked or detained but not arrested; the receipts would detail the reason for the stop, demographic information about the person, the discovery (or lack) of any contraband, and the officer’s name and badge number.

State database to track misconduct

Another important part of SB 1304 is the creation of a statewide database, available to any chief administrative officer and subject to public disclosure, of each reported instance of official misconduct or violation of law resulting in the discharge, dismissal or resignation of an officer.

In addition, SB 1304 establishes a new commission of lawmakers and law enforcement to review police training and performance standards, with a report due by Jan. 31, 2016.

The bill also adds funding to help relieve our state’s evidence backlog at the State Police crime laboratory. The department would have to provide quarterly reports on its progress in processing forensic and DNA evidence.

In addition to the aforementioned reforms, the authorization of officer-worn body cameras was an essential part of SB 1304. Body cameras have emerged as an evidence-collection and training tool that can provide an objective review of interactions between officers and citizens. Studies suggest, too, that these cameras can contribute to a drop in use-of-force incidents and citizen complaints.

SB 1304 creates standardized protocols for police use of body cameras and imposes a surcharge on fines for criminal and traffic offenses to underwrite grants to help police departments purchase the devices.

Body-camera use has few exceptions

The bill specifically requires police officers to activate a body camera any time they are engaged in “law enforcement related encounters or activities.” Exceptions exist for interactions with victims, witnesses or confidential informants, or when an officer is engaged in “community care taking” functions.

Recordings must be retained for at least 90 days, and for at least two years if the cameras captured the discharge of a firearm, an injury, a death or the arrest of a subject. Should SB 1304 become law (it was still awaiting the governor’s signature as of early August), Illinois would become the first state in the nation to authorize the use of body cameras on a statewide basis.

SB 1304 represents a comprehensive attempt to address and improve relations between law enforcement and the communities it protects and serves.

While this legislation could itself become a model for the nation, the bipartisan, civil deliberations between legislators, the executive branch and interested stakeholders that resulted in its creation and passage should most assuredly become a model for legislative discourse throughout the nation. ★

Rep. Elgie Sims, a Democrat from Chicago, was first elected to the Illinois House of Representatives in 2012.

Submissions welcome

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