



# **HB 3653 – Police, Criminal Justice Reform Bill**

# Overview



- Approved by Illinois Senate and House and Senate on January 13, 2021
- Currently awaiting decision from Gov. Pritzker
- Aims to reform both police and criminal justice practices in Illinois

# HB 3653



- Local Records Act (50 ILCS 205/25 new)
  - Stipulates that police misconduct records, all public records and nonpublic records related to complaints investigations and adjudications of police misconduct shall be permanently retained and may not be destroyed. Takes effect 1/1/2023
- Illinois Police Training Act
  - Requires the Illinois Law Enforcement Training and Standard Board (ILETSB) to establish statewide minimum standards regarding regular mental health screenings for probationary and permanent police officers, ensuring that counseling sessions and screenings remain confidential.

# HB 3653



## ▣ Rules and Standards for Schools

- Requires the curriculum for probationary police officers to include:
  - 1) at least 12 hours of hands-on scenario-based role-playing;
  - 2) at least 6 hours of instruction on the use of force techniques, including the use of de-escalation techniques to prevent or reduce the need for force whenever safe and feasible;
  - 3) specific training on officer safety techniques, including cover, concealment and time; and,
  - 4) at least 6 hours of training focused on high-risk traffic stops.
- Requires in-service training for the above consisting of at least 30 hours of training every 3 years.
- Adds emergency medical response training and certification, crisis intervention training and officer wellness and mental health to the list of minimum in-service training requirements a police officer must satisfactorily complete at least annually

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## □ Monthly Reporting

- Adds to the list of reports that all law enforcement agencies shall submit to the Illinois State Police on a monthly basis.
- July 1, 2021 – A report on any incident where a law enforcement officer was dispatched to deal with a person experiencing a mental health crisis or incident, including the number of incidents, the level of law enforcement response and the outcome of each incident.
- July 1, 2021 – A report on use of force, including any action that resulted in death or serious bodily injury of a person or the discharge of a firearm at or in the direction of a person.

# HB 3653



- The Police & Community Relations Improvement Act
  - Amends the act to do the following:
    - States that it shall not be a requirement for a person filing a complaint against a sworn peace officer to have the complaint supported by a sworn affidavit or any other legal documentation.
    - States that this ban on an affidavit requirement shall apply to any collective bargaining agreements entered after the effective date of the provision.
    - Provision takes effect January 1, 2023

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- Illinois Municipal Code (65 ILCS 5/11-5.1-2)
  - Prohibits a police department from requesting or receiving specified equipment from any military surplus program. If a police department requests property from such a program, the department shall publish notice of the request on a publicly accessible website maintained by the department or the municipality within 14 days of the request.
- Illinois Vehicle Code
  - No Later than July 1, 2021 the Secretary of State is required to rescind licenses that were suspended for non-payment of fines, automated traffic enforcement and abandoned vehicles.

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## □ Prohibited Use of Force

- Use of force as punishment or retaliation
- Discharge kinetic impact projectiles and all other non-or less-lethal projectiles in a manner that targets the head, pelvis, or back.
- Discharge firearms or kinetic impact projectiles indiscriminately into a crowd.
- Use of chemical agents and like substances prior to issuing an order to disperse, followed by sufficient time to and space to allow compliance.



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## □ Duty to Render Aid

- All law enforcement officers must, as soon as reasonably practical, determine if a person is injured, whether as a result of a use of force or otherwise, and render medical aid and assistance consistent with training and request emergency medical assistance if necessary.

## □ Duty to Intervene

- A peace officer shall have an affirmative duty to intervene to prevent or stop another peace officer in his or her presence from using any unauthorized force or force that exceeds the degree of force permitted, if any, without regard for chain of command.

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## □ Official Misconduct

- The language adds a new section on law enforcement misconduct. Specifically, the language provides that an officer commits misconduct in the course of official duties when he or she knowingly and intentionally;
  - Misrepresents or fails to provide facts describing an incident in any report or during any investigations regarding the law enforcement officer's conduct.
  - withholds any knowledge of the misrepresentations of another law enforcement officer from a supervisor, investigator, or other person or entity tasked with holding the law enforcement officer accountable;
  - Fails to comply with the provisions of Section 10-20 of the Law Enforcement Officer Worn Body Camera Act.