

1 AN ACT concerning local government.

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 Metro
5 East Police District Act.

6 Section 3. Definitions.

7 "Commission" means the Metro East Police District
8 Commission.

9 "District" means the Metro East Police District.

10 Section 5. Creation of district. There is created within
11 the County of St. Clair a special district, named the Metro
12 East Police District. The territory of the District shall
13 include the City of East Saint Louis, the Village of Washington
14 Park, the Village of Alorton, and the Village of Brooklyn. The
15 District is created to advance the cause of public safety and
16 law enforcement for the residents of the District.

17 Section 10. Metro East Police District Commission.

18 (a) The governing and administrative powers of the Metro
19 East Police District shall be vested in a body politic and
20 corporate named the Metro East Police District Commission,
21 whose powers are the following:

1 (1) To apply for, accept and expend grants, loans, or
2 appropriations from the State of Illinois, the federal
3 government, any State or federal agency or
4 instrumentality, any unit of local government, or any other
5 person or entity to be used for any of the purposes of the
6 District. The Commission may enter into any agreement with
7 the State of Illinois, the federal government, any State or
8 federal instrumentality, any unit of local government, or
9 any other person or entity in relation to grants, matching
10 grants, loans, or appropriations. The Commission may
11 provide grants, loans, or appropriations for law
12 enforcement purposes to any unit of local government within
13 the District.

14 (2) To enter into contracts or agreements with persons
15 or entities for the supply of goods or services as may be
16 necessary for the purposes of the District.

17 (3) To acquire fee simple title to real property lying
18 within the District and personal property required for its
19 purposes, by gift, purchase, contract, or otherwise for law
20 enforcement purposes including evidence storage, records
21 storage, equipment storage, detainment facilities,
22 training facilities, office space and other purposes of the
23 District. Title shall be taken in the name of the
24 Commission. The Commission may acquire by lease any real
25 property located within the District and personal property
26 found by the Commission to be necessary for its purposes

1 and to which the Commission finds that it need not acquire
2 fee simple title for carrying out of those purposes. The
3 Commission has no eminent domain powers or quick-take
4 powers under this provision.

5 (4) To establish by resolution rules and regulations
6 that the police departments within the District may adopt
7 concerning: officer ethics; the carry and use of weapons;
8 search and seizure procedures; procedures for arrests with
9 and without warrants; alternatives to arrest; the use of
10 officer discretion; strip searches and body cavity
11 searches; profiling; use of reasonable force; use of deadly
12 force; use of authorized less than lethal weapons;
13 reporting uses of force; weapons and ammunition; weapons
14 proficiency and training; crime analysis; purchasing and
15 requisitions; department property; inventory and control;
16 issue and reissue; recruitment; training attendance;
17 lesson plans; remedial training; officer training record
18 maintenance; department animals; response procedures;
19 pursuit of motor vehicles; roadblocks and forcible stops;
20 missing or mentally ill persons; use of equipment; use of
21 vehicle lights and sirens; equipment specifications and
22 maintenance; vehicle safety restraints; authorized
23 personal equipment; protective vests and high risk
24 situations; mobile data access; in-car video and audio;
25 case file management; investigative checklists;
26 informants; cold cases; polygraphs; shift briefings;

1 interviews of witnesses and suspects; line-ups and
2 show-ups; confidential information; juvenile operations;
3 offenders, custody, and interrogation; crime prevention
4 and community interface; critical incident response and
5 planning; hostage negotiation; search and rescue; special
6 events; personnel, equipment, and facility inspections;
7 victim/witness rights, preliminary contact, and follow up;
8 next of kin notification; traffic stops and approaches;
9 speed-measuring devices; DUI procedures; traffic collision
10 reporting and investigation; citation inventory, control
11 and administration; escorts; towing procedures; detainee
12 searches and transportation; search and inventory of
13 vehicles; escape prevention procedures and detainee
14 restraint; sick, injured, and disabled detainees; vehicle
15 safety; holding facility standards; collection and
16 preservation of evidence including but not limited to
17 photos, video, fingerprints, computers, records, DNA
18 samples, controlled substances, weapons, and physical
19 evidence; police report standards and format; submission
20 of evidence to laboratories; follow up of outstanding
21 cases; and application for charges with the State's
22 Attorney, United States Attorney, Attorney General, or
23 other prosecuting authority.

24 Any police department located within the Metro East
25 Police District that does not adopt any rule or regulation
26 established by resolution by the Commission shall not be

1 eligible to receive funds from the Metro East Police
2 District Fund.

3 The adoption of any policies or procedures pursuant to
4 this Section shall not be inconsistent with any rights
5 under current collective bargaining agreements, the
6 Illinois Public Labor Relations Act or other laws governing
7 collective bargaining.

8 (5) No later than one year after the effective date of
9 this Act, to assume for police departments within the
10 District the authority to make application for and accept
11 financial grants or contributions of services from any
12 public or private source for law enforcement purposes.

13 (6) To develop a comprehensive plan for improvement and
14 maintenance of law enforcement facilities within the
15 District.

16 (7) To advance police departments within the District
17 towards accreditation by the national Commission for the
18 Accreditation of Law Enforcement Agencies (CALEA) within 3
19 years after creation of the District.

20 (b) The Commission shall consist of 14 appointed members
21 and 3 ex-officio members. Seven members shall be appointed by
22 the Governor with the advice and consent of the Senate, one of
23 whom shall represent an organization that represents the
24 largest number of police officers employed by the
25 municipalities described by Section 5 of this Act. Four members
26 shall be appointed by the Mayor of East Saint Louis, with the

1 advice and consent of the city council. One member each shall
2 be appointed by the Village Presidents of Washington Park,
3 Alorton, and Brooklyn, with the advice and consent of the
4 respective village boards. All appointed members shall hold
5 office for a term of 2 years ending on December 31 and until
6 their successors are appointed and qualified. The Mayor of East
7 Saint Louis, with the approval of the city council, may serve
8 as one of the members appointed for East Saint Louis, and the
9 Village Presidents of Washington Park, Alorton, and Brooklyn,
10 with the approval of their respective boards, may serve as the
11 member for their respective municipalities.

12 A member may be removed by his or her appointing authority
13 for incompetence, neglect of duty, or malfeasance in office.

14 The Director of the Illinois State Police, or his or her
15 designee, the State's Attorney of St. Clair County, or his or
16 her designee, and the Director of the Southern Illinois Law
17 Enforcement Commission, or his or her designee, shall serve as
18 ex-officio members. Ex-officio members may only vote on matters
19 before the Commission in the event of a tie vote.

20 (c) Any vacancy in the appointed membership of the
21 Commission occurring by reason of the death, resignation,
22 disqualification, removal, or inability or refusal to act of
23 any of the members of the Commission shall be filled by the
24 authority that had appointed the particular member, and for the
25 unexpired term of office of that particular member.

26 (d) The Commission shall hold regular meetings annually for

1 the election of a chair, vice-chair, secretary, and treasurer,
2 for the adoption of a budget, and monthly for other business as
3 may be necessary. The Commission shall establish the duties and
4 responsibilities of its officers by rule. The chair, or any 9
5 members of the Commission, may call special meetings of the
6 Commission. Each member shall take an oath of office for the
7 faithful performance of his or her duties. The Commission may
8 not transact business at a meeting of the Commission unless
9 there is present at the meeting a quorum consisting of at least
10 9 members. Meetings may be held by telephone conference or
11 other communications equipment by means of which all persons
12 participating in the meeting can communicate with each other
13 consistent with the Open Meetings Act.

14 (e) The Commission shall submit to the General Assembly, no
15 later than March 1 of each odd-numbered year, a detailed report
16 covering its operations for the 2 preceding calendar years and
17 a statement of its program for the next 2 years, as provided by
18 Section 3.1 of the General Assembly Organization Act.

19 (f) The Auditor General shall conduct audits of the
20 Commission in the same manner as the Auditor General conducts
21 audits of State agencies under the Illinois State Auditing Act.

22 (g) The Commission is a public body for purposes of the
23 Open Meetings Act and the Freedom of Information Act.

24 (h) This Section is a limitation under subsection (i) of
25 Section 6 of Article VII of the Illinois Constitution on the
26 concurrent exercise by home rule units of powers and functions

1 exercised by the State.

2 Section 15. Disposition of money; income fund. There is
3 created in the custody of the Illinois Finance Authority the
4 Metro East Police District Fund. All moneys received by the
5 Commission shall be deposited in the Fund. The Commission is
6 authorized to use all money received for all purposes and
7 powers set forth in this Act, provided that the Commission and
8 the Illinois Finance Authority enter into an intergovernmental
9 agreement to use the moneys deposited into the Fund solely for
10 the purposes set forth in this Act. The Auditor General shall,
11 at least biennially, audit or cause to be audited all records
12 and accounts of the Commission pertaining to the operation of
13 the District.

14 Section 20. Repealer. This Act is repealed on December 31,
15 2019.

16 Section 50. The Illinois Finance Authority Act is amended
17 by adding Section 825-115 as follows:

18 (20 ILCS 3501/825-115 new)

19 Sec. 825-115. Metro East Police District Fund. The
20 Authority and the Metro East Police District Commission may
21 jointly administer the Metro East Police District Fund. All
22 moneys received by the Commission shall be deposited in the

1 Fund. Upon request of the Commission, the Authority shall
2 provide to the Commission moneys deposited in the Fund,
3 provided that the Commission and the Authority enter into an
4 intergovernmental agreement to use the moneys deposited into
5 the Fund solely for the purposes set forth in the Metro East
6 Police District Act. This Section is repealed on December 31,
7 2019.

8 Section 55. The Illinois State Auditing Act is amended by
9 adding Section 3-1.5 as follows:

10 (30 ILCS 5/3-1.5 new)

11 Sec. 3-1.5. Metro East Police District. The Auditor General
12 shall conduct audits as provided in Sections 10 and 15 of the
13 Metro East Police District Act. This Section is repealed on
14 December 31, 2019.

15 Section 60. The Counties Code is amended by adding Section
16 5-1101.5 as follows:

17 (55 ILCS 5/5-1101.5 new)

18 Sec. 5-1101.5. Metro East Police District. In addition to
19 any fine imposed under Section 5-9-1 of the Unified Code of
20 Corrections, St. Clair County may adopt a mandatory fine of
21 \$100 to be paid by the defendant on a judgment of guilty or a
22 grant of supervision for a felony or a violation of Section

1 11-501 of the Illinois Vehicle Code, when the offense was
2 committed within the corporate limits of a municipality that is
3 located within the Metro East Police District. The clerk of the
4 circuit court shall collect the fines as provided in this
5 subsection and must remit the fines to the Metro East Police
6 District Fund created under Section 15 of the Metro East Police
7 District Act. This Section is repealed on December 31, 2019.

8 Section 65. The Illinois Municipal Code is amended by
9 adding Section 11-74.4-12 as follows:

10 (65 ILCS 5/11-74.4-12 new)

11 Sec. 11-74.4-12. Metro East Police District. A
12 municipality may use moneys from the special tax allocation
13 fund to hire police officers, if the corporate authorities of
14 the municipality determine by ordinance or resolution that, as
15 a result of the development associated with the tax increment
16 financing, more police officers are needed to protect the
17 public health and safety of the residents, and the municipality
18 is: (i) within the territory of the Metro East Police District
19 created under the Metro East Police District Act, or (ii)
20 contiguous to 2 or more municipalities within the territory of
21 the Metro East Police District and having a population of more
22 than 5,000 inhabitants, according to the 2000 federal census.
23 The moneys used to hire police officers may amount to no more
24 than 10% of the funds available.

1 Section 99. Effective date. This Act takes effect January
2 1, 2013.