



## 100TH GENERAL ASSEMBLY

### State of Illinois

### 2017 and 2018

### HB0375

by Rep. Laura Fine

#### SYNOPSIS AS INTRODUCED:

|                   |                         |
|-------------------|-------------------------|
| 50 ILCS 705/7     | from Ch. 85, par. 507   |
| 50 ILCS 705/10.17 |                         |
| 725 ILCS 5/110-7  | from Ch. 38, par. 110-7 |

Amends the Illinois Police Training Act. Provides that beginning January 1, 2018, all probationary officers employed by law enforcement agencies located in counties of more than 3,000,000 inhabitants, including probationary part-time officers and university police officers, shall be required to complete Crisis Intervention Team (CIT) training as part of initial minimum basic training requirements. All permanent police officers, part-time officers, and university officers must complete at least one Crisis Intervention Team (CIT) training program prior to January 1, 2019. Provides that CIT training includes situations involving domestic violence. Provides that the Illinois Law Enforcement Training Standards Board may partner with local mental health organizations and providers in developing and assisting with crisis intervention programming. Amends the Code of Criminal Procedure of 1963. Provides that in counties of more than 3,000,000 inhabitants, \$25 of bail moneys retained by the circuit court clerk shall be deposited in the Crisis Intervention Team Training Fund, a special fund in the county treasury, to be used solely for paying for the costs of crisis intervention training for probationary police officers employed by law enforcement agencies located in a county with more than 3,000,000 inhabitants.

LRB100 00093 SLF 10097 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Police Training Act is amended by  
5 changing Sections 7 and 10.17 as follows:

6 (50 ILCS 705/7) (from Ch. 85, par. 507)

7 (Text of Section after amendment by P.A. 99-801)

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

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

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

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

22 b. Minimum courses of study, attendance requirements  
23 and equipment requirements.

24 c. Minimum requirements for instructors.

25 d. Minimum basic training requirements, which a  
26 probationary police officer must satisfactorily complete

1 before being eligible for permanent employment as a local  
2 law enforcement officer for a participating local  
3 governmental agency. Those requirements shall include  
4 training in first aid (including cardiopulmonary  
5 resuscitation).

6 e. Minimum basic training requirements, which a  
7 probationary county corrections officer must  
8 satisfactorily complete before being eligible for  
9 permanent employment as a county corrections officer for a  
10 participating local governmental agency.

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

19 A person hired to serve as a court security officer  
20 must obtain from the Board a certificate (i) attesting to  
21 his or her successful completion of the training course;  
22 (ii) attesting to his or her satisfactory completion of a  
23 training program of similar content and number of hours  
24 that has been found acceptable by the Board under the  
25 provisions of this Act; or (iii) attesting to the Board's  
26 determination that the training course is unnecessary

1 because of the person's extensive prior law enforcement  
2 experience.

3 Individuals who currently serve as court security  
4 officers shall be deemed qualified to continue to serve in  
5 that capacity so long as they are certified as provided by  
6 this Act within 24 months of June 1, 1997 (the effective  
7 date of Public Act 89-685). Failure to be so certified,  
8 absent a waiver from the Board, shall cause the officer to  
9 forfeit his or her position.

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

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

25 g. Minimum in-service training requirements, which a  
26 police officer must satisfactorily complete every 3 years.

1 Those requirements shall include constitutional and proper  
2 use of law enforcement authority, procedural justice,  
3 civil rights, human rights, ~~and~~ cultural competency, and  
4 for probationary police officers employed by law  
5 enforcement agencies located in counties of more than  
6 3,000,000 inhabitants, crisis intervention team training  
7 under Section 10.17 of this Act.

8 h. Minimum in-service training requirements, which a  
9 police officer must satisfactorily complete at least  
10 annually. Those requirements shall include law updates and  
11 use of force training which shall include scenario based  
12 training, or similar training approved by the Board.

13 (Source: P.A. 98-49, eff. 7-1-13; 98-358, eff. 1-1-14; 98-463,  
14 eff. 8-16-13; 98-756, eff. 7-16-14; 99-352, eff. 1-1-16;  
15 99-480, eff. 9-9-15; 99-642, eff. 7-28-16; 99-801, eff.  
16 1-1-17.)

17 (50 ILCS 705/10.17)

18 Sec. 10.17. Crisis intervention team training.

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

1       **(b)** The Illinois Law Enforcement Training and Standards  
2 Board shall develop and approve a standard curriculum for a  
3 certified training program in crisis intervention addressing  
4 specialized policing responses to people with mental illnesses  
5 and situations involving domestic violence. The Board shall  
6 conduct Crisis Intervention Team (CIT) training programs that  
7 train officers to identify signs and symptoms of mental  
8 illness, identify signs and behaviors of domestic violence  
9 victims and perpetrators, to de-escalate situations involving  
10 individuals who appear to have a mental illness and situations  
11 involving domestic violence, and connect persons ~~that person~~ in  
12 crisis to treatment, emergency assistance, or other necessary  
13 services. The Board may partner with local mental health  
14 organizations and providers in developing and assisting with  
15 crisis intervention programming. Officers who have  
16 successfully completed this program shall be issued a  
17 certificate attesting to their attendance of a Crisis  
18 Intervention Team (CIT) training program. Beginning January 1,  
19 2018, all probationary officers employed by law enforcement  
20 agencies located in counties of more than 3,000,000  
21 inhabitants, including probationary part-time officers and  
22 university police officers, shall be required to complete  
23 Crisis Intervention Team (CIT) training as part of initial  
24 minimum basic training requirements. All permanent police  
25 officers, part-time officers, and university officers must  
26 complete at least one Crisis Intervention Team (CIT) training



1 program prior to January 1, 2019.

2 (Source: P.A. 99-261, eff. 1-1-16; 99-642, eff. 7-28-16.)

3 Section 10. The Code of Criminal Procedure of 1963 is  
4 amended by changing Section 110-7 as follows:

5 (725 ILCS 5/110-7) (from Ch. 38, par. 110-7)

6 Sec. 110-7. Deposit of bail security.

7 (a) The person for whom bail has been set shall execute the  
8 bail bond and deposit with the clerk of the court before which  
9 the proceeding is pending a sum of money equal to 10% of the  
10 bail, but in no event shall such deposit be less than \$25. The  
11 clerk of the court shall provide a space on each form for a  
12 person other than the accused who has provided the money for  
13 the posting of bail to so indicate and a space signed by an  
14 accused who has executed the bail bond indicating whether a  
15 person other than the accused has provided the money for the  
16 posting of bail. The form shall also include a written notice  
17 to such person who has provided the defendant with the money  
18 for the posting of bail indicating that the bail may be used to  
19 pay costs, attorney's fees, fines, or other purposes authorized  
20 by the court and if the defendant fails to comply with the  
21 conditions of the bail bond, the court shall enter an order  
22 declaring the bail to be forfeited. The written notice must be:  
23 (1) distinguishable from the surrounding text; (2) in bold type  
24 or underscored; and (3) in a type size at least 2 points larger

1 than the surrounding type. When a person for whom bail has been  
2 set is charged with an offense under the Illinois Controlled  
3 Substances Act or the Methamphetamine Control and Community  
4 Protection Act which is a Class X felony, or making a terrorist  
5 threat in violation of Section 29D-20 of the Criminal Code of  
6 1961 or the Criminal Code of 2012 or an attempt to commit the  
7 offense of making a terrorist threat, the court may require the  
8 defendant to deposit a sum equal to 100% of the bail. Where any  
9 person is charged with a forcible felony while free on bail and  
10 is the subject of proceedings under Section 109-3 of this Code  
11 the judge conducting the preliminary examination may also  
12 conduct a hearing upon the application of the State pursuant to  
13 the provisions of Section 110-6 of this Code to increase or  
14 revoke the bail for that person's prior alleged offense.

15 (b) Upon depositing this sum and any bond fee authorized by  
16 law, the person shall be released from custody subject to the  
17 conditions of the bail bond.

18 (c) Once bail has been given and a charge is pending or is  
19 thereafter filed in or transferred to a court of competent  
20 jurisdiction the latter court shall continue the original bail  
21 in that court subject to the provisions of Section 110-6 of  
22 this Code.

23 (d) After conviction the court may order that the original  
24 bail stand as bail pending appeal or deny, increase or reduce  
25 bail subject to the provisions of Section 110-6.2.

26 (e) After the entry of an order by the trial court allowing

1 or denying bail pending appeal either party may apply to the  
2 reviewing court having jurisdiction or to a justice thereof  
3 sitting in vacation for an order increasing or decreasing the  
4 amount of bail or allowing or denying bail pending appeal  
5 subject to the provisions of Section 110-6.2.

6 (f) When the conditions of the bail bond have been  
7 performed and the accused has been discharged from all  
8 obligations in the cause the clerk of the court shall return to  
9 the accused or to the defendant's designee by an assignment  
10 executed at the time the bail amount is deposited, unless the  
11 court orders otherwise, 90% of the sum which had been deposited  
12 and shall retain as bail bond costs 10% of the amount  
13 deposited. However, in no event shall the amount retained by  
14 the clerk as bail bond costs be less than \$5. Notwithstanding  
15 the foregoing, in counties with a population of 3,000,000 or  
16 more, in no event shall the amount retained by the clerk as  
17 bail bond costs exceed \$100 of which \$25 shall be deposited in  
18 the Crisis Intervention Team Training Fund, a special fund in  
19 the county treasury of a county with more than 3,000,000  
20 inhabitants, to be used solely for paying for the costs of  
21 crisis intervention training for probationary police officers  
22 employed by law enforcement agencies located in a county with  
23 more than 3,000,000 inhabitants. Bail bond deposited by or on  
24 behalf of a defendant in one case may be used, in the court's  
25 discretion, to satisfy financial obligations of that same  
26 defendant incurred in a different case due to a fine, court

1 costs, restitution or fees of the defendant's attorney of  
2 record. In counties with a population of 3,000,000 or more, the  
3 court shall not order bail bond deposited by or on behalf of a  
4 defendant in one case to be used to satisfy financial  
5 obligations of that same defendant in a different case until  
6 the bail bond is first used to satisfy court costs and  
7 attorney's fees in the case in which the bail bond has been  
8 deposited and any other unpaid child support obligations are  
9 satisfied. In counties with a population of less than  
10 3,000,000, the court shall not order bail bond deposited by or  
11 on behalf of a defendant in one case to be used to satisfy  
12 financial obligations of that same defendant in a different  
13 case until the bail bond is first used to satisfy court costs  
14 in the case in which the bail bond has been deposited.

15 At the request of the defendant the court may order such  
16 90% of defendant's bail deposit, or whatever amount is  
17 repayable to defendant from such deposit, to be paid to  
18 defendant's attorney of record.

19 (g) If the accused does not comply with the conditions of  
20 the bail bond the court having jurisdiction shall enter an  
21 order declaring the bail to be forfeited. Notice of such order  
22 of forfeiture shall be mailed forthwith to the accused at his  
23 last known address. If the accused does not appear and  
24 surrender to the court having jurisdiction within 30 days from  
25 the date of the forfeiture or within such period satisfy the  
26 court that appearance and surrender by the accused is

1 impossible and without his fault the court shall enter judgment  
2 for the State if the charge for which the bond was given was a  
3 felony or misdemeanor, or if the charge was quasi-criminal or  
4 traffic, judgment for the political subdivision of the State  
5 which prosecuted the case, against the accused for the amount  
6 of the bail and costs of the court proceedings; however, in  
7 counties with a population of less than 3,000,000, instead of  
8 the court entering a judgment for the full amount of the bond  
9 the court may, in its discretion, enter judgment for the cash  
10 deposit on the bond, less costs, retain the deposit for further  
11 disposition or, if a cash bond was posted for failure to appear  
12 in a matter involving enforcement of child support or  
13 maintenance, the amount of the cash deposit on the bond, less  
14 outstanding costs, may be awarded to the person or entity to  
15 whom the child support or maintenance is due. The deposit made  
16 in accordance with paragraph (a) shall be applied to the  
17 payment of costs. If judgment is entered and any amount of such  
18 deposit remains after the payment of costs it shall be applied  
19 to payment of the judgment and transferred to the treasury of  
20 the municipal corporation wherein the bond was taken if the  
21 offense was a violation of any penal ordinance of a political  
22 subdivision of this State, or to the treasury of the county  
23 wherein the bond was taken if the offense was a violation of  
24 any penal statute of this State. The balance of the judgment  
25 may be enforced and collected in the same manner as a judgment  
26 entered in a civil action.

1           (h) After a judgment for a fine and court costs or either  
2 is entered in the prosecution of a cause in which a deposit had  
3 been made in accordance with paragraph (a) the balance of such  
4 deposit, after deduction of bail bond costs, shall be applied  
5 to the payment of the judgment.

6           (i) When a court appearance is required for an alleged  
7 violation of the Criminal Code of 1961, the Criminal Code of  
8 2012, the Illinois Vehicle Code, the Wildlife Code, the Fish  
9 and Aquatic Life Code, the Child Passenger Protection Act, or a  
10 comparable offense of a unit of local government as specified  
11 in Supreme Court Rule 551, and if the accused does not appear  
12 in court on the date set for appearance or any date to which  
13 the case may be continued and the court issues an arrest  
14 warrant for the accused, based upon his or her failure to  
15 appear when having so previously been ordered to appear by the  
16 court, the accused upon his or her admission to bail shall be  
17 assessed by the court a fee of \$75. Payment of the fee shall be  
18 a condition of release unless otherwise ordered by the court.  
19 The fee shall be in addition to any bail that the accused is  
20 required to deposit for the offense for which the accused has  
21 been charged and may not be used for the payment of court costs  
22 or fines assessed for the offense. The clerk of the court shall  
23 remit \$70 of the fee assessed to the arresting agency who  
24 brings the offender in on the arrest warrant. If the Department  
25 of State Police is the arresting agency, \$70 of the fee  
26 assessed shall be remitted by the clerk of the court to the

1 State Treasurer within one month after receipt for deposit into  
2 the State Police Operations Assistance Fund. The clerk of the  
3 court shall remit \$5 of the fee assessed to the Circuit Court  
4 Clerk Operation and Administrative Fund as provided in Section  
5 27.3d of the Clerks of Courts Act.

6 (Source: P.A. 99-412, eff. 1-1-16.)