



Rep. Christian L. Mitchell

Filed: 5/29/2017

10000SB1843ham002

LRB100 09946 SLF 27254 a

1 AMENDMENT TO SENATE BILL 1843

2 AMENDMENT NO. _____. Amend Senate Bill 1843 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Uniform Peace Officers' Disciplinary Act is
5 amended by adding Section 7.5 as follows:

6 (50 ILCS 725/7.5 new)

7 Sec. 7.5. Commission on Police Professionalism.

8 (a) Recognizing the need to review performance standards
9 governing the professionalism of law enforcement agencies and
10 officers in the 21st century, the General Assembly hereby
11 creates the Commission on Police Professionalism.

12 (b) The Commission on Police Professionalism shall be
13 composed of the following members:

14 (1) one member of the Senate appointed by the President
15 of the Senate;

16 (2) one member of the Senate appointed by the Senate

1 Minority Leader;

2 (3) one member of the House of Representatives
3 appointed by the Speaker of the House of Representatives;

4 (4) one member of the House of Representatives
5 appointed by the House Minority Leader;

6 (5) one active duty law enforcement officer who is a
7 member of a certified collective bargaining unit appointed
8 by the Governor;

9 (6) one active duty law enforcement officer who is a
10 member of a certified collective bargaining unit appointed
11 by the President of the Senate;

12 (7) one active duty law enforcement officer who is a
13 member of a certified collective bargaining unit appointed
14 by the Senate Minority Leader;

15 (8) one active duty law enforcement officer who is a
16 member of a certified collective bargaining unit appointed
17 by the Speaker of the House of Representatives;

18 (9) one active duty law enforcement officer who is a
19 member of a certified collective bargaining unit appointed
20 by the House Minority Leader;

21 (10) the Director of State Police, or his or her
22 designee;

23 (10.5) the Superintendent of the Chicago Police
24 Department or his or her designee;

25 (11) the Executive Director of the Law Enforcement
26 Training Standards Board, or his or her designee;

1 (12) the Director of a statewide organization
2 representing Illinois sheriffs;

3 (13) the Director of a statewide organization
4 representing Illinois chiefs of police;

5 (14) the Director of a statewide fraternal
6 organization representing sworn law enforcement officers
7 in this State;

8 (15) the Director of a benevolent association
9 representing sworn police officers in this State;

10 (16) the Director of a fraternal organization
11 representing sworn law enforcement officers within the
12 City of Chicago; and

13 (17) the Director of a fraternal organization
14 exclusively representing sworn Illinois State Police
15 officers.

16 (c) The President of the Senate and the Speaker of the
17 House of Representatives shall each appoint a joint chairperson
18 to the Commission. The Law Enforcement Training Standards Board
19 shall provide administrative support to the Commission.

20 (d) The Commission shall meet regularly to review the
21 current training and certification process for law enforcement
22 officers, review the duties of the various types of law
23 enforcement officers, including auxiliary officers, review the
24 standards for the issuance of badges, shields, and other police
25 and agency identification, review officer-involved shooting
26 investigation policies, review policies and practices

1 concerning the use of force and misconduct by law enforcement
2 officers, and examine whether law enforcement officers should
3 be licensed. For the purposes of this subsection (d), "badge"
4 means an officer's department issued identification number
5 associated with his or her position as a police officer with
6 that Department.

7 (e) The Commission shall submit a report of its findings
8 and legislative recommendations to the General Assembly and
9 Governor on or before September 30, 2018.

10 (f) This Section is repealed on December 31, 2018.

11 Section 10. The State's Attorneys Appellate Prosecutor's
12 Act is amended by changing Section 4.01 as follows:

13 (725 ILCS 210/4.01) (from Ch. 14, par. 204.01)

14 Sec. 4.01. (a) The Office and all attorneys employed
15 thereby may represent the People of the State of Illinois on
16 appeal in all cases which emanate from a county containing less
17 than 3,000,000 inhabitants, when requested to do so and at the
18 direction of the State's Attorney, otherwise responsible for
19 prosecuting the appeal, and may, with the advice and consent of
20 the State's Attorney prepare, file and argue such appellate
21 briefs in the Illinois Appellate Court and, when requested and
22 authorized to do so by the Attorney General, in the Illinois
23 Supreme Court.

24 (b) Notwithstanding the population restriction contained

1 in subsection (a), the ~~The~~ Office may also assist County
2 State's Attorneys in the discharge of their duties under the
3 Illinois Controlled Substances Act, the Cannabis Control Act,
4 the Methamphetamine Control and Community Protection Act, the
5 Drug Asset Forfeiture Procedure Act, the Narcotics Profit
6 Forfeiture Act, and the Illinois Public Labor Relations Act,
7 including negotiations conducted on behalf of a county or
8 pursuant to an intergovernmental agreement as well as in the
9 trial and appeal of said cases and of tax objections, and the
10 counties which use services relating to labor relations shall
11 reimburse the Office on pro-rated shares as determined by the
12 board based upon the population and number of labor relations
13 cases of the participating counties. In addition, the Office
14 and all attorneys employed by the Office may also assist
15 State's Attorneys in the discharge of their duties in the
16 prosecution, trial, or hearing on post-conviction of other
17 cases when requested to do so by, and at the direction of, the
18 State's Attorney otherwise responsible for the case. In
19 addition, the Office and all attorneys employed by the Office
20 may act as Special Prosecutor if duly appointed to do so by a
21 court having jurisdiction. To be effective, the order
22 appointing the Office or its attorneys as Special Prosecutor
23 must (i) identify the case and its subject matter and (ii)
24 state that the Special Prosecutor serves at the pleasure of the
25 Attorney General, who may substitute himself or herself as the
26 Special Prosecutor when, in his or her judgment, the interest

1 of the people of the State so requires. Within 5 days after
2 receiving a copy of an order from the court appointing the
3 Office or any of its attorneys as a Special Prosecutor, the
4 Office must forward a copy of the order to the Springfield
5 office of the Attorney General.

6 (Source: P.A. 97-1012, eff. 8-17-12.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law."