

SB3937



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3937

Introduced 1/21/2022, by Sen. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-1-15 new

Amends the Illinois Municipal Code. Defines terms, including "clearance" (case solved for crime reporting purposes). Provides that a police department in a municipality with a population greater than 250,000 shall report their clearance rate on an annual basis to the city council or board of trustees of the municipality. Provides that, if the city council or board of trustees of the municipality determines that the department's clearance rate report is in compliance with the requirements of the Section, the city council or board of trustees of the municipality shall submit the department's compliant clearance rate report to the Illinois State Police. Effective January 1, 2023.

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A BILL FOR

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 5. The Illinois Municipal Code is amended by
5 adding Section 11-1-15 as follows:

6 (65 ILCS 5/11-1-15 new)

7 Sec. 11-1-15. Clearance rate reporting in municipalities
8 over 250,000.

9 (a) As used in this Section:

10 "Clearance" or "cleared" means either of the following:

11 (1) "clearance by arrest" occurs when at least one
12 person has been arrested, charged with the commission of
13 the offense, and prosecution has begun in court; or

14 (2) "clearance by exceptional means" occurs when
15 elements beyond the police's control prevent the
16 department from arresting and formally charging the
17 offender and the following four conditions must be met:

18 (A) the offender must be identified;

19 (B) the department gathered enough evidence to
20 support an arrest, make a charge, and turn over the
21 offender for prosecution in court;

22 (C) the offender's exact location was identified
23 so that the suspect could be taken into custody

1 immediately; and

2 (D) the department encountered a circumstance
3 outside the control of the department that prohibits
4 the department from arresting, charging, and
5 prosecuting the offender.

6 "Clearance rate" means the number of cases cleared
7 compared to the number of cases not cleared.

8 (b) A police department in a municipality with a
9 population greater than 250,000 shall report their clearance
10 rate on an annual basis to the city council or board of
11 trustees of the municipality. The department's reporting of
12 clearances shall distinguish the form of clearance for each
13 crime incident reported to have been cleared and why that form
14 of clearance applies to each crime.

15 (c) On an annual basis, the city council or board of
16 trustees of the municipality shall determine whether the
17 clearance rate report of its police department is in
18 compliance with the requirements of this Section by a simple
19 majority vote of the city council or board of trustees.

20 (d) If the city council or board of trustees of the
21 municipality determines that the department's clearance rate
22 report is in compliance with the requirements of this Section,
23 the city council or board of trustees of the municipality
24 shall submit the department's compliant clearance rate report
25 to the Illinois State Police.

26 Section 99. Effective date. This Act takes effect January

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1 1, 2023.