



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5588

Introduced 2/15/2012, by Rep. Deborah Mell

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-305

was 20 ILCS 2605/55a in part

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Department of State Police must make the information contained in the Statewide Organized Criminal Gang Database (SWORD), other than officer safety information and entering agency identifier, accessible on the Internet by means of a hyperlink labeled "Statewide Organized Criminal Gang Database (SWORD) Information" on the Department's World Wide Web home page. Provides that the Department must make the information contained in the Statewide Organized Criminal Gang Database searchable via a mapping system which identifies organized criminal gang members living within 5 miles of an identified address. The Department of State Police must update that information as it deems necessary. Provides that the Department of State Police may require that a person who seeks access to the organized criminal gang members' information submit biographical information about himself or herself before permitting access to the information. Provides that the Department of State Police must promulgate rules in accordance with the Illinois Administrative Procedure Act to implement these provisions and those rules must include procedures to ensure that the information in the database is accurate.

LRB097 18402 RLC 63628 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of State Police Law of the Civil  
5 Administrative Code of Illinois is amended by changing Section  
6 2605-305 as follows:

7 (20 ILCS 2605/2605-305) (was 20 ILCS 2605/55a in part)  
8 Sec. 2605-305. Statewide Organized Criminal Gang Database  
9 (SWORD).

10 (a) The Department may establish and maintain, within the  
11 Department, a Statewide Organized Criminal Gang Database  
12 (SWORD) for the purpose of tracking organized criminal gangs  
13 and their memberships. Information in the database may include,  
14 but not be limited to, the name, last known address, birth  
15 date, physical descriptions (such as scars, marks, or tattoos),  
16 photograph, officer safety information, organized gang  
17 affiliation, and entering agency identifier. The Department  
18 may develop, in consultation with the Criminal Justice  
19 Information Authority, and in a form and manner prescribed by  
20 the Department, an automated data exchange system to compile,  
21 to maintain, and to make this information electronically  
22 available to prosecutors, ~~and to~~ other law enforcement  
23 agencies, and the public. The information may be used by

1 authorized agencies to combat the operations of organized  
2 criminal gangs statewide.

3 (b) The Department of State Police must make the  
4 information contained in the Statewide Organized Criminal Gang  
5 Database (SWORD), other than officer safety information and  
6 entering agency identifier, accessible on the Internet by means  
7 of a hyperlink labeled "Statewide Organized Criminal Gang  
8 Database (SWORD) Information" on the Department's World Wide  
9 Web home page. The Department must make the information  
10 contained in the Statewide Organized Criminal Gang Database  
11 searchable via a mapping system which identifies organized  
12 criminal gang members living within 5 miles of an identified  
13 address. The Department of State Police must update that  
14 information as it deems necessary. The Department of State  
15 Police may require that a person who seeks access to the  
16 organized criminal gang members' information submit  
17 biographical information about himself or herself before  
18 permitting access to the information. The Department of State  
19 Police must promulgate rules in accordance with the Illinois  
20 Administrative Procedure Act to implement this subsection (b)  
21 and those rules must include procedures to ensure that the  
22 information in the database is accurate.

23 (Source: P.A. 90-18, eff. 7-1-97; 90-130, eff. 1-1-98; 90-372,  
24 eff. 7-1-98; 90-590, eff. 1-1-00; 90-655, eff. 7-30-98; 90-793,  
25 eff. 8-14-98; 91-239, eff. 1-1-00.)