



The Law Enforcement Community Opposes Senate Amendment #2 to HB 163

Senate Amendment #2 to HB 163 affects every community in Illinois. The so-called “reforms” that are part of House Bill 163 as amended would destroy law enforcement's ability to keep communities safe. The Illinois Law Enforcement Coalition with hundreds of years of combined experience recently enumerated its Safe Communities plan, a sensible approach to modernizing Illinois law enforcement, but House Bill 163 as amended would lead to unsafe communities in Illinois. The authors of this legislation are not law enforcement professionals. This bill was drafted without law enforcement input, and because of that the long-term unintended consequences of this legislation would be dire. We urge the Illinois General Assembly to avoid making a sudden, rash decision in the Lamé Duck Session and instead work carefully with all stakeholders to truly examine what needs to be done regarding law enforcement in Illinois.

Specifically, the legislation does the following:

- Eliminates qualified immunity for police officers and expressly applies punitive unbalanced civil penalties to police officers, while denying them typical and customary protections like caps on attorney’s fees.
- Creation of a new state law right of action against law enforcement for alleged civil rights violations that is more generous than the federal Section 1983 provisions (it includes a provision for attorney’s fees, eliminates state law and federal immunities and resets the statute of limitations)
- Eliminates bail and basically mandates release
- Defunds municipalities by removing funding sources and interrupting as much as 40% of the total Local Government Distributive Fund monies
- Eliminates virtually all collective bargaining over any subject except for wages for over 50,000 law enforcement officers in the State
- Creates one-hour access to 3 phone calls for detainees with no latitude for emergencies, which often isn’t practical in one hour, and allows outside contact by detainees prior to potential arrest of co-defendants/co-suspects who are still at large.
- Mandates body cameras for all police departments without funding support. Penalizes municipalities for failure to comply by withholding LGDF.
- Allows officers to be punished for unverified, anonymous complaints. Eliminates sworn affidavits.
- Eliminates Felony Murder

- Significantly limits use of no-knock warrants
- Makes significant changes to Use of Force, including Total Ban on Chokeholds or action above the shoulders under ANY circumstances
- Eliminates virtually all collective bargaining over any subject except for wages for over 50,000 law enforcement officers in the State

Law Enforcement, crime victims and the public at large will be severely harmed by this legislation. This approach to police reform lacks balance, due process and any input from professional law enforcement organizations.

Vote no on Senate Amendment #2 to HB 163