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HB 1727: THE BAD APPLES IN LAW ENFORCEMENT ACCOUNTABILITY ACT



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#nomorebadapples

UPDATE 6/1/21: HB 1727 did not pass in the General Assembly during the scheduled session. We look forward to continuing to work on this legislation.

After decades of unacceptable police abuse, current Illinois law still protects out-of-control officers from being held accountable for violating the constitutional rights of people. These protections do not serve good police officers; they do not serve our communities; they only serve “bad apples” in our state’s police ranks. One of the most harmful protections given to bad apples is qualified immunity, a

concept created by courts that often creates an insurmountable barrier to justice for those whose rights have been violated.

Because of qualified immunity, a small minority of police can continue to engage in unconstitutional conduct against residents with virtually zero consequences or ramifications. This is consistent with the desire of an overwhelming majority of Illinoisans: A recent poll shows that 91% of Illinois voters are strongly supportive of legislative efforts that hold police accountable for misconduct and 69% of voters agree that eliminating qualified immunity is necessary, now, to achieve police accountability.

House Bill 1727 – the Bad Apples in Law Enforcement Accountability Act – addresses this outdated and dangerous concept. For lawsuits brought under the law, police would not be able to rely on qualified immunity as a defense, and would instead have to actually show that they acted reasonably under the circumstances.

In short, the bill:

- Would allow a person to bring a lawsuit in Illinois state court against police officers for violating a person's constitutional rights (for example, when a police officer kills someone without justification) under the Illinois Constitution;
- Removes unjust and inequitable legal barriers so that police can be held accountable when they violate someone's constitutional rights; and,
- Allows claims of constitutional violations by police can be assessed on a case-by-case basis on their merits.

The bill does not impose any criminal liability on police or make them responsible for damages from their own pocket. It just creates a pathway, albeit a very narrow one, for the people to hold police

accountable when they violate a person's rights under the Illinois Constitution.

NO MORE BAD APPLES: POLICE ACCOUNTABILITY IN ILLINOIS

NOW ([HTTPS://WWW.ACLU-IL.ORG/EN/EVENTS/NO-MORE-BAD-APPLES-POLICE-ACCOUNTABILITY-ILLINOIS-NOW](https://www.aclu-il.org/en/events/no-more-bad-apples-police-accountability-illinois-now)).

WATCH A RECORDING OF OUR VIRTUAL EVENT

([HTTPS://YOUTU.BE/PJA_ZR2ZES8](https://youtu.be/PJA_ZR2ZES8)).



TAKE ACTION - Contact your STATE REPRESENTATIVE about this bill.

Call [1-866-581-7519](tel:1-866-581-7519) (tel:1-866-581-7519) to contact your state representative in support HB 1727.

Send a message to your state representative in support of HB 1727 [here](https://action.aclu.org/send-message/support-meaningful-police-accountability) (<https://action.aclu.org/send-message/support-meaningful-police-accountability>).

Schedule a visit with your senator or representative to talk about this bill. Find out more information about meeting with your legislator [here](https://www.aclu-il.org/en/advocating-your-state-legislator) (<https://www.aclu-il.org/en/advocating-your-state-legislator>).

Write your senator or representative a letter or postcard. Find your representative's address [here](https://elections.il.gov/ElectionOperations/DistrictLocator/DistrictOfficialSearchByAddress.aspx)

(<https://elections.il.gov/ElectionOperations/DistrictLocator/DistrictOfficialSearchByAddress.aspx>).

More Information:

- [Review Atlas: Remove qualified immunity for police](https://amp.reviewatlas.com/amp/7202279002) (<https://amp.reviewatlas.com/amp/7202279002>)

SESSION

102nd

BILL NUMBER

[House Bill 1727 \(https://www.ilga.gov/legislation/BillStatus.asp?DocNum=1727&GAID=16&DocTypeID=HB&LegId=130409&SessionID=110&GA=102\)](https://www.ilga.gov/legislation/BillStatus.asp?DocNum=1727&GAID=16&DocTypeID=HB&LegId=130409&SessionID=110&GA=102)

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