

Local police support amending eavesdropping law

Written by Douglas Bridges-O'Connor, Daily Vidette Senior Staff
Monday, 20 February 2012 15:17

On Feb. 8, an Illinois House committee approved amendments to the Eavesdropping Act that would allow the citizens to record police officers performing lawful duties in a public setting.

Under the current law, an individual who audio records a law enforcement officer can be arrested and charged with a Class 1 felony.

An amendment of the law, also known as House Bill 3944, seeks to change that. The bill, sponsored by State Rep. Elaine Nekritz, is headed to the floor after gaining committee approval.

“Citizens are being charged under the current law for doing nothing more than what thousands of citizens do every day in Illinois – pull out their cell phone, open up the camera, and start recording,” Nekritz said.

For example, if an individual standing on the corner of Main Street and College Avenue witnesses an arrest, recording it with their iPhone at a far enough distance to not capture sound is not illegal, but the audio recording is a violation of the eavesdropping statute.

While many Illinois police groups have voiced their opposition to the amendment, local police officials said they support changing the law

Capt. Nikki Bleichner of the ISUPD, said campus law enforcement will cooperate with amendments made to the eavesdropping law, but does not expect those amendments to lead to any drastic changes for the department.

Local police support amending eavesdropping law

Written by Douglas Bridges-O'Connor, Daily Vidette Senior Staff
Monday, 20 February 2012 15:17

"It probably won't affect the ISU Police Department as much as it will bigger departments because we just don't really deal with [recording] on a regular basis," she said.

Normal Police Chief Rick Bleichner would like the law expanded to not only affect police officers, but any individual in speaking in public.

"The proposed changes will only impact law enforcement. Citizens will be able to record police officers performing their duties in public places. I don't see why that could not be expanded to any person.

"If it's a good enough law for police officers, it should be applied to everybody, and my reasoning is not because I'm standing up for law enforcement in that sense. I just don't see how anybody has an expectation of privacy in an open, public place with spoken words they make," he said.

Some are also concerned the proposed amendment will lead individuals to obstruct or interfere with police duties.

"I want people to understand that if changes [to the law] were to happen and people are to be allowed to audio record, then that doesn't mean they can interfere or obstruct the officer who is lawfully performing their duties.

"If an individual interferes with an officer or approaches the officer in a way that impedes him or her from carrying out their lawful duties then that person could be subject to arrest, regardless of whether they're recording or not. Yes, you might be able to record, but you will still have to listen to the officers and allow them to do their jobs," Bleichner said.

Local police support amending eavesdropping law

Written by Douglas Bridges-O'Connor, Daily Vidette Senior Staff
Monday, 20 February 2012 15:17

He believes the proposed amendment, if enacted, might actually benefit the Normal Police Department in some ways.

“I have the utmost confidence in our officers that we’re a very professional organization and we act in the appropriate manner. We’re of the opinion that we are held to a higher standard anyway. If someone’s violating the law and needs to be arrested, [a recording] could benefit us in some cases. If a person were resisting arrest or assaulting an officer, then the information gathered by a recording device could then be helpful to us in prosecution,” he explained.