

SOUTHWESTERN ILLINOIS LAW ENFORCEMENT COMMISSION

Mobile Team ASSIST #14

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This course is pending ILETSB approval.

P R E S E N T S

8 Hour First Amendment Rights- Civilian Recordings, Protests, and Civil Unrest

Wednesday, July 17, 2024 – 8 AM/5 PM

LOCATION: Fairview Heights Police Department
10027 Bunkum Rd., Fairview Heights, IL. 62208

WHO: Matt Dolan, Attorney

TO REGISTER: Visit our website www.silec.org. **Limit 40!**

In recent years, communities across the State of Illinois and across the country have seen an increase in large-scale public protests. These protests range from peaceful and orderly demonstrations to dangerous riots that pose substantial threats to persons and property. The lawful response options available to officers facing public gatherings and civil disobedience will vary considerably based on the circumstances of each particular case.

Adding to the complexity of the challenges facing law enforcement in this area is the new reality of civilian recordings of police interactions. The widespread recording and dissemination of police actions have led to a level of scrutiny that is unparalleled in the history of the law enforcement profession.

Significant liability risks have emerged due to the practical and legal challenges associated with the ease with which officers are recorded in the field—particularly in the context of protests and civil unrest. While the First Amendment protects the right to record police actions in many instances, this right is not absolute. Rather, it is subject to legal restrictions based on the time, place, and manner of the recordings.

This training will utilize Illinois law and 7th Circuit Court guidance to prepare law enforcement professionals to develop policies and training that reflect an understanding of the legal framework in which they will be operating.

Course Objectives

Civilian Recordings of the Police

- Knowing the legal limits on civilians' right to record- reasonable time, place, and manner restrictions.
- Taking the cell phone out of the equation in making detention and arrest decisions.
- Understanding the conditions under which seizing phones as evidence is legally justifiable.

Protestors' Rights and their Limitations

- Getting back to basics- Illinois state law re: lawful assembly and trespassing.
- Recognizing prosecutorial discretion in responding to civil disobedience and clearly communicating prosecutorial priorities to officers.
- Leveraging drones and other technology in responding to protests and civil unrest.

Legal Options for Officers in the Face of Civil Unrest

- Giving officers clear rules of engagement for protecting property and utilizing arrest powers before unrest occurs.
- Considering the role of clear warnings prior to arrest, when practicable.
- Understanding legal guidance re: arrest options in the context of civil unrest.

Funding made available by Homeland Security Grant Funds, and the Illinois Law Enforcement Training and Standards Board, Southwestern Illinois Law Enforcement Commission, ASSIST #14 Partnership and the seven counties of Bond, Clinton, Madison, Monroe, Randolph, St. Clair and Washington. MTU #14 request for certification of this course has been approved by the Illinois Law Enforcement Training and Standards Board.