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Illinois Supreme Court Overturns Insane Recording Laws from the i-hear-you dept

When it comes to insane bans on recording police and public officials, the granddaddy of them all has always been Illinois' eavesdropping law, which made it a federal crime to surreptitiously record any public official, even if they were amongst the public while performing their duties.

But now the Illinois Supreme Court has gone further, extending the overturning of the law such that it's no longer just law enforcement that is free to be recorded.

Today's decision (PDF) extends that analysis to other public officials as well as private citizens when they do not have a reasonable expectation of privacy.

It's an immensely satisfying decision that turns the country's most draconian anti-recording law on its head.

Because the eavesdropping ban "burdens substantially more speech than is necessary to serve a legitimate state interest in protecting conversational privacy," the court concludes.

And so you can now record interactions with the folks whose salary you pay via taxes in the Land of Lincoln.



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jackn, 25 Mar 2014 @ 2:43pm

I probably missing something, but how can a state law make something a federal crime?

MondoGordo (profile), 25 Mar 2014 @ 2:45pm

Re: No ... that's a good question ... perhaps Tim was being figurative?

Anonymous Coward, 26 Mar 2014 @ 7:52am

Re: Yea I bet he was literally being figurative.

musterion (profile), 26 Mar 2014 @ 12:13pm

Re: I think, perhaps, he meant a felony crime vs a misdemeanor.

richard40 (profile), 27 Mar 2014 @ 11:11am

Re: The article probably should have said felony, rather than federal crime.

Joe, 31 Mar 2014 @ 4:10am

Re: Think: Gun laws & felons.

kenichi tanaka (profile), 25 Mar 2014 @ 3:06pm

And yet public officials will continue acting like it's still against the law, as police officers keep routinely doing.

That One Guy (profile), 25 Mar 2014 @ 3:19pm

Re: Sadly true, a law making such actions legal means nothing as long as the police and others face no penalty for continuing to treat such actions as illegal.

btrussell (profile), 26 Mar 2014 @ 6:20pm

Re: Laws do not make things legal. Laws make things illegal.

That One Guy (profile), 26 Mar 2014 @ 6:46pm

Re: True, should have said 'A ruling clarifying that such actions are legal...'

Trevor, 27 Mar 2014 @ 3:17pm

Re: > Proof: Abolish all laws, now make one that allows me to do something that I can't already do.

btrussell (profile), 28 Mar 2014 @ 5:34am

Re: In other words, you cannot make a law PROHIBITING this action.

Anonymous Coward, 25 Mar 2014 @ 3:17pm

Maybe he used federal instead of felony.

Randy Moore, 25 Mar 2014 @ 3:24pm

Re: Felony is correct. The eavesdropping law w made it a felony to record conversations unless all parties consented.

AI (profile), 26 Mar 2014 @ 12:01pm

Re: Get this 3/25 we had some vandalism in the neighborhood. Previously we have had thefts, break ins, home invasions you name it.

Anonymous Coward, 25 Mar 2014 @ 3:39pm

Re: Cue Police departments 'ensuring that once our lawyers have fully evaluated the implications if this ruling and then start disseminating on-going guidance to our officers over the next 2 - 3 years'

Anonymous Coward, 26 Mar 2014 @ 2:50am

Re: Many of the English cameras are privately owned, and while the police can get the footage, they have to go to the owner to get it.

Ninja (profile), 26 Mar 2014 @ 11:24am

Re: Watch your step anyway

Indeed. But now you have a Supreme Court ruling on your side. And law enforcement abuse will likely be punished much more often

btr1701 (profile), 26 Mar 2014 @ 4:25pm

Federal Crime

> The granddaddy of them all has always been Illinois' eavesdropping law, which made it a federal crime to surreptitiously record

Anonymous Coward, 10 Dec 2014 @ 8:40am

We can also stop this bill by calling the office of Illinois governor, Pat Quinn, at 312-814-2121, and demand that he veto the Amendment to Senate Bill 1342.

cilfltz, 17 Dec 2014 @ 5:03pm

Federal crime is appropriate depiction. State law violates ones constitution rights.

cilfltz, 17 Dec 2014 @ 5:21pm

Help Fight Back

So you all know about the underhanded way Illinois passed the law about discouraging the recording of police brutality.

Anonymous Coward, 24 Oct 2015 @ 8:57pm

as of 10-20-2015 Illinois state police tried to say my trucks recording system is illegal because it records vid front of the truck and audio in the cab which recorded a jerk binding me with a high power spotlight as i was driving causing me to stop

Anonymous Coward, 24 Oct 2015 @ 9:07pm

as of 10-20-2015 Illinois state police tried to say my trucks recording system is illegal because it records vid front of the truck and audio in the cab which recorded a jerk blinding me with a high power spotlight as I was driving causing me to stop

Anonymous Coward, 12 May 2015 @ 3:35am

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