

1 AN ACT concerning criminal law.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Rights of Crime Victims and Witnesses Act
5 is amended by changing Sections 8.5 and 9 as follows:

6 (725 ILCS 120/8.5)

7 Sec. 8.5. Statewide victim and witness notification
8 system.

9 (a) The Attorney General may establish a crime victim
10 and witness notification system to assist public officials in
11 carrying out their duties to notify and inform crime victims
12 and witnesses under Section 4.5 of this Act as the Attorney
13 General specifies by rule. The system shall download
14 necessary information from participating officials into its
15 computers, where it shall be maintained, updated, and
16 automatically transmitted to victims and witnesses by
17 telephone, computer, or written notice.

18 (b) The Illinois Department of Corrections, the
19 Department of Human Services, and the Prisoner Review Board
20 shall cooperate with the Attorney General in the
21 implementation of this Section and shall provide information
22 as necessary to the effective operation of the system.

23 (c) State's attorneys, circuit court clerks, and local
24 law enforcement and correctional authorities may enter into
25 agreements with the Attorney General for participation in the
26 system. The Attorney General may provide those who elect to
27 participate with the equipment, software, or training
28 necessary to bring their offices into the system.

29 (d) The provision of information to crime victims and
30 witnesses through the Attorney General's notification system
31 satisfies a given State or local official's corresponding

1 obligation under Section 4.5 to provide the information.

2 (e) The Attorney General may provide for telephonic,
3 electronic, or other public access to the database
4 established under this Section.

5 (f) The Attorney General shall adopt rules as necessary
6 to implement this Section. The rules shall include, but not
7 be limited to, provisions for the scope and operation of any
8 system the Attorney General may establish and procedures,
9 requirements, and standards for entering into agreements to
10 participate in the system and to receive equipment, software,
11 or training.

12 (g) There is established in the Office of the Attorney
13 General a Crime Victim and Witness Notification Advisory
14 Committee consisting of those victims advocates, sheriffs,
15 State's Attorneys, circuit court clerks, Illinois Department
16 of Corrections, and Prisoner Review Board employees that the
17 Attorney General chooses to appoint. The Attorney General
18 shall designate one member to chair the Committee.

19 (1) The Committee shall consult with and advise the
20 Attorney General as to the exercise of the Attorney
21 General's authority under this Section, including, but
22 not limited to:

23 (i) the design, scope, and operation of the
24 notification system;

25 (ii) the content of any rules adopted to
26 implement this Section;

27 (iii) the procurement of hardware, software,
28 and support for the system, including choice of
29 supplier or operator; and

30 (iv) the acceptance of agreements with and the
31 award of equipment, software, or training to
32 officials that seek to participate in the system.

33 (2) The Committee shall review the status and
34 operation of the system and report any findings and

1 recommendations for changes to the Attorney General and
2 the General Assembly by November 1 of each year.

3 (3) The members of the Committee shall receive no
4 compensation for their services as members of the
5 Committee, but may be reimbursed for their actual
6 expenses incurred in serving on the Committee.

7 (Source: P.A. 91-237, eff. 1-1-00.)

8 (725 ILCS 120/9) (from Ch. 38, par. 1408)

9 Sec. 9. This Act does not limit any rights or
10 responsibilities otherwise enjoyed by or imposed upon victims
11 or witnesses of violent crime, nor does it grant any person a
12 cause of action for damages or attorneys fees. Any act of
13 omission or commission by any law enforcement officer,
14 circuit court clerk, or State's Attorney, by the Attorney
15 General, Prisoner Review Board, Department of Corrections,
16 Department of Human Services, or other State agency, or
17 private entity under contract pursuant to Section 8, or by
18 any employee of any State agency or private entity under
19 contract pursuant to Section 8 acting in good faith in
20 rendering crime victim's assistance or otherwise enforcing
21 this Act shall not impose civil liability upon the individual
22 or entity or his or her supervisor or employer. Nothing in
23 this Act shall create a basis for vacating a conviction or a
24 ground for appellate relief in any criminal case. Failure of
25 the crime victim to receive notice as required, however,
26 shall not deprive the court of the power to act regarding the
27 proceeding before it; nor shall any such failure grant the
28 defendant the right to seek a continuance.

29 (Source: P.A. 90-744, eff. 1-1-99; 91-237, eff. 1-1-00.)