

1 AN ACT in relation to criminal law.

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

4 Section 5. The Code of Criminal Procedure of 1963 is  
5 amended by adding Article 107A as follows:

6 (725 ILCS 5/ Art. 107A heading new)

7 ARTICLE 107A. LINEUP AND PHOTO SPREAD PROCEDURES  
8 IN HOMICIDE CASES

9 (725 ILCS 5/107A-5 new)

10 Sec. 107A-5. Lineup and photo spread procedures in  
11 homicide cases.

12 (a) For a homicide offense alleged to have been  
13 committed on or after the effective date of this amendatory  
14 Act of the 93rd General Assembly, the lineup or photo spread  
15 shall be conducted to insure that all persons in the lineup  
16 or photo spread fit the general description of the suspect.

17 (b) Whenever possible, the lineup or photo spread  
18 administrator in a homicide case shall be someone who is not  
19 aware of which member of the lineup or photo spread is the  
20 suspect in the case. Prior to presenting the lineup or photo  
21 spread, the lineup or photo spread administrator shall:

22 (1) inform the witness that the perpetrator may or  
23 may not be among those shown, and the witness should not  
24 feel compelled to make an identification; and

25 (2) inform the witness that he or she should not  
26 assume that the lineup or photo spread administrator  
27 knows which person is the suspect in the case.

28 (c) During the lineup or photo spread, the lineup or  
29 photo spread administrator shall ask the witness to state in  
30 his or her own words how sure he or she is that the person

1 identified is the actual suspect, and make the witness's  
2 words part of the record.

3 (d) This Section applies to any live lineups in homicide  
4 cases that are composed and presented at a police station,  
5 and to all photo lineups in homicide cases regardless of  
6 where presented.