

SB1343



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1343

Introduced 2/5/2013, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

730 ILCS 195/20

Amends the Department of Juvenile Justice Mortality Review Team Act. Provides that a mortality review team shall evaluate the role that life sentences without the opportunity for parole have in youth deaths.

LRB098 06686 RLC 36732 b

A BILL FOR

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 Department of Juvenile Justice Mortality
5 Review Team Act is amended by changing Section 20 as follows:

6 (730 ILCS 195/20)

7 Sec. 20. Reviews of youth deaths.

8 (a) A mortality review team shall review every death of a
9 youth that occurs within a facility of the Department or as the
10 result of an act or incident occurring within a facility of the
11 Department, including deaths resulting from suspected illness,
12 injury, or self-harm or from an unknown cause.

13 (b) If the coroner of the county in which a youth died
14 determines that the youth's death was the direct or proximate
15 result of alleged or suspected criminal activity, the mortality
16 review team's investigation shall be in addition to any
17 criminal investigation of the death but shall be limited to a
18 review of systems and practices of the Department. In the
19 course of conducting its review, the team shall obtain
20 assurance from law enforcement officials that acts taken in
21 furtherance of the review will not impair any criminal
22 investigation or prosecution.

23 (c) A mortality review team's purpose in conducting a

1 review of a youth death is to do the following:

2 (1) Assist in determining the cause and manner of the
3 youth's death, if requested.

4 (2) Evaluate any means by which the death might have
5 been prevented, including, but not limited to, the
6 evaluation of the Department's systems for the following:

7 (A) Training.

8 (B) Assessment and referral for services.

9 (C) Communication.

10 (D) Housing.

11 (E) Supervision of youth.

12 (F) Intervention in critical incidents.

13 (G) Reporting.

14 (H) Follow-up and mortality review following
15 critical incidents or youth deaths.

16 (I) The role of life sentences without the
17 opportunity for parole.

18 (3) Recommend continuing education and training for
19 Department staff.

20 (4) Make specific recommendations to the Director
21 concerning the prevention of deaths of youth in the
22 Department's custody.

23 (d) A mortality review team shall review a youth death as
24 soon as practicable and not later than within 90 days after a
25 law enforcement agency's completion of its investigation if the
26 death is the result of alleged or suspected criminal activity.

1 If there has been no investigation by a law enforcement agency,
2 the mortality review team shall review a youth's death within
3 90 days after obtaining the information necessary to complete
4 the review from the coroner, pathologist, medical examiner, or
5 law enforcement agency, depending on the nature of the case.
6 The team shall meet as needed in person or via teleconference
7 or video conference following appointment of the team members.
8 When necessary and upon request of the team, the Director may
9 extend the deadline for a review up to an additional 90 days.
10 (Source: P.A. 96-1378, eff. 7-29-10.)