



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5052

Introduced 2/10/2026, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

See Index

Amends the Sexual Assault Survivors Emergency Treatment Act. Provides that beginning January 1, 2028, a treatment hospital, treatment hospital with approved pediatric transfer, or approved pediatric health care facility may submit a sexual assault treatment plan which includes the use of a TeleSANE interactive telecommunications system which allows a qualified medical provider to precept a medical forensic examination while located at a distant site. Amends the Juvenile Court Act of 1987. Provides that in inspection and copying of law enforcement records maintained by law enforcement agencies that relate to a minor who has been investigated, arrested, or taken into custody before the minor's 18th birthday by victims and their attorneys, the information identifying the nonrequesting victims shall be redacted in cases of multiple minor victims or multiple victims of sex offenses. Amends the Rights of Crime Victims and Witnesses Act. Provides that a victim shall not be excluded from any part of the trial unless a written motion to exclude a victim from trial was filed at least 60 days prior to the date set for trial. Makes other structural and technical changes in the Act. Makes other changes. Amends the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act. Defines "eligible person" as a person 18 years of age or older who is the victim of domestic violence, sexual assault, human trafficking, or stalking; the parent or guardian of a minor or disabled adult who is a victim of domestic violence, sexual assault, human trafficking, or stalking; and a household member of a victim of domestic violence, sexual assault, human trafficking, or stalking. Allows household members who are not victims to participate in the program. Provides that a participant whose certification has not been withdrawn or cancelled may reapply to the Address Confidentiality Program to renew certification for an additional 4 years. Changes notice process for certification cancellation. Allows the Attorney General discretion to continue the participation of participants who have a change of legal name and specifies notice in that process. Makes other changes.

LRB104 19576 RLC 33024 b

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 Sexual Assault Survivors Emergency
5 Treatment Act is amended by changing Sections 1a and 5 and by
6 adding Section 2-2 as follows:

7 (410 ILCS 70/1a) (from Ch. 111 1/2, par. 87-1a)

8 Sec. 1a. Definitions.

9 (a) In this Act:

10 "Acute sexual assault" means a sexual assault that has
11 recently occurred. For patients under the age of 13, "acute
12 sexual assault" means a sexual assault that has occurred
13 within the past 72 hours. For patients 13 years old or older,
14 "acute sexual assault" means a sexual assault that has
15 occurred within the past 168 hours.

16 "Advanced practice registered nurse" has the meaning
17 provided in Section 50-10 of the Nurse Practice Act.

18 "Ambulance provider" means an individual or entity that
19 owns and operates a business or service using ambulances or
20 emergency medical services vehicles to transport emergency
21 patients.

22 "Approved pediatric health care facility" means a health
23 care facility, other than a hospital, with a sexual assault

1 treatment plan approved by the Department to provide medical
2 forensic examinations to sexual assault survivors under the
3 age of 18 who present with a complaint of acute sexual assault.

4 "Areawide sexual assault treatment plan" means a plan,
5 developed by hospitals or by hospitals and approved pediatric
6 health care facilities in a community or area to be served,
7 which provides for medical forensic examinations to acute
8 sexual assault survivors that shall be made available by each
9 of the participating hospitals and approved pediatric health
10 care facilities.

11 "Assent" means the expressed willingness to participate in
12 an activity or give permission.

13 "Board-certified child abuse pediatrician" means a
14 physician certified by the American Board of Pediatrics in
15 child abuse pediatrics.

16 "Board-eligible child abuse pediatrician" means a
17 physician who has completed the requirements set forth by the
18 American Board of Pediatrics to take the examination for
19 certification in child abuse pediatrics.

20 "Department" means the Department of Public Health.

21 "Distant site" means the location, designated by the
22 treatment hospital or approved pediatric health care facility,
23 from which the qualified medical provider uses a TeleSANE
24 interactive telecommunications system to precept a medical
25 forensic examination.

26 "Emergency contraception" means medication as approved by

1 the federal Food and Drug Administration (FDA) that can
2 significantly reduce the risk of pregnancy if taken within 72
3 hours after sexual assault.

4 "Follow-up healthcare" means healthcare services related
5 to a sexual assault, including laboratory services and
6 pharmacy services, rendered within 180 days of the initial
7 visit as a result of the sexual assault.

8 "Health care professional" means a physician, a physician
9 assistant, a sexual assault forensic examiner, an advanced
10 practice registered nurse, a registered professional nurse, a
11 licensed practical nurse, or a sexual assault nurse examiner.

12 "Hospital" means a hospital licensed under the Hospital
13 Licensing Act or operated under the University of Illinois
14 Hospital Act, any outpatient center included in the hospital's
15 sexual assault treatment plan where hospital employees provide
16 medical forensic examinations, and an out-of-state hospital
17 that has consented to the jurisdiction of the Department under
18 Section 2.06.

19 "Illinois State Police Sexual Assault Evidence Collection
20 Kit" means a prepackaged set of materials and forms to be used
21 for the collection of evidence relating to sexual assault. The
22 standardized evidence collection kit for the State of Illinois
23 shall be the Illinois State Police Sexual Assault Evidence
24 Collection Kit.

25 "Law enforcement agency having jurisdiction" means the law
26 enforcement agency in the jurisdiction where an alleged sexual

1 assault or sexual abuse occurred.

2 "Licensed practical nurse" has the meaning provided in
3 Section 50-10 of the Nurse Practice Act.

4 "Medical forensic examination" means health care delivered
5 to patients ~~in the care of a qualified medical provider~~
6 ~~working~~ at a treatment hospital, treatment hospital with
7 approved pediatric transfer, or an approved pediatric health
8 care facility that is either performed by a qualified medical
9 provider or precepted by a qualified medical provider and may
10 include the use of a TeleSANE interactive telecommunications
11 system. "Medical forensic examination" includes, but is not
12 limited to, taking a medical history, performing photo
13 documentation, performing a physical and anogenital
14 examination, assessing the patient for evidence collection,
15 collecting evidence in accordance with a statewide sexual
16 assault evidence collection program administered by the
17 Illinois State Police using the Illinois State Police Sexual
18 Assault Evidence Collection Kit, if appropriate, assessing the
19 patient for drug-facilitated or alcohol-facilitated sexual
20 assault, providing an evaluation of and care for sexually
21 transmitted infection and human immunodeficiency virus (HIV),
22 pregnancy risk evaluation and care, and discharge and
23 follow-up healthcare planning.

24 "Originating site" means the treatment hospital or
25 approved pediatric health care facility at which the patient
26 is located at the time a medical forensic examination is

1 performed using a TeleSANE interactive telecommunications
2 system.

3 "Pediatric health care facility" means a clinic or
4 physician's office that provides medical services to patients
5 under the age of 18.

6 "Pediatric sexual assault survivor" means a person under
7 the age of 13 who presents for a medical forensic examination
8 in relation to injuries or trauma resulting from a sexual
9 assault.

10 "Photo documentation" means digital photographs or
11 colposcope videos stored and backed up securely in the
12 original file format.

13 "Physician" means a person licensed to practice medicine
14 in all its branches.

15 "Physician assistant" has the meaning provided in Section
16 4 of the Physician Assistant Practice Act of 1987.

17 "Precept" means to provide direct, one-on-one supervision,
18 training, and mentorship to a student or trainee in a
19 real-world clinical setting as an experienced healthcare
20 professional as part of a method of clinical education.

21 "Qualified medical provider" means a board-certified child
22 abuse pediatrician, board-eligible child abuse pediatrician, a
23 sexual assault forensic examiner, or a sexual assault nurse
24 examiner who has access to photo documentation tools, and who
25 participates in peer review.

26 "Registered Professional Nurse" has the meaning provided

1 in Section 50-10 of the Nurse Practice Act.

2 "Sexual assault" means:

3 (1) an act of sexual conduct; as used in this
4 paragraph, "sexual conduct" has the meaning provided under
5 Section 11-0.1 of the Criminal Code of 2012; or

6 (2) any act of sexual penetration; as used in this
7 paragraph, "sexual penetration" has the meaning provided
8 under Section 11-0.1 of the Criminal Code of 2012 and
9 includes, without limitation, acts prohibited under
10 Sections 11-1.20 through 11-1.60 of the Criminal Code of
11 2012.

12 "Sexual assault forensic examiner" means a physician or
13 physician assistant who has completed training that meets or
14 is substantially similar to the Sexual Assault Nurse Examiner
15 Education Guidelines established by the International
16 Association of Forensic Nurses.

17 "Sexual assault nurse examiner" means an advanced practice
18 registered nurse or registered professional nurse who is
19 designated as Adult/Adolescent, Pediatric/Adolescent, or both,
20 according to the population of survivors the nurse is
21 qualified to treat and:

22 (1) is certified as a Sexual Assault Nurse Examiner by
23 the International Association of Forensic Nurses; or

24 (2) has completed training that meets the Sexual
25 Assault Nurse Examiner Education Guidelines established by
26 the International Association of Forensic Nurses and is

1 approved by the Sexual Assault Nurse Examiner Program
2 Coordinator.

3 "Sexual Assault Nurse Examiner Program Coordinator" means
4 an advanced practice registered nurse or a registered
5 professional nurse that is a qualified medical provider, and
6 who is the employee at Attorney General's Office who oversees
7 the Sexual Assault Nurse Examiner Program.

8 "Sexual assault services voucher" means a document
9 generated by a hospital or approved pediatric health care
10 facility where the sexual assault survivor first presents and
11 that may be used to seek payment for any ambulance services, a
12 medical forensic examination, medical care and treatment as
13 defined by 77 Ill. Adm. Code Part 545, laboratory services,
14 pharmacy services, and follow-up healthcare provided as a
15 result of the sexual assault.

16 "Sexual assault survivor" means a person who presents for
17 a medical forensic examination or medical care and treatment
18 in relation to injuries or trauma resulting from a sexual
19 assault.

20 "Sexual assault transfer plan" means a written plan
21 developed by a hospital and approved by the Department, which
22 describes the hospital's procedures for transferring acute
23 sexual assault survivors to another hospital, and an approved
24 pediatric health care facility, if applicable, in order to
25 receive medical forensic examinations performed by qualified
26 medical providers.

1 "Sexual assault treatment plan" means a written plan that
2 describes the procedures and protocols for providing medical
3 forensic examinations to acute sexual assault survivors who
4 present themselves for such services performed by qualified
5 medical providers, either directly or through transfer from a
6 hospital or an approved pediatric health care facility.

7 "TeleSANE interactive telecommunications system" means
8 multimedia communications equipment that includes, at a
9 minimum, audio and video equipment permitting two-way, real
10 time interactive communication between a health care
11 professional performing a medical forensic examination at an
12 originating site and a qualified medical provider precepting
13 the exam from a distant site.

14 "Transfer hospital" means a hospital with a sexual assault
15 transfer plan approved by the Department.

16 "Transfer services" means the appropriate medical
17 screening examination and necessary stabilizing treatment
18 prior to the transfer of a sexual assault survivor to another
19 hospital or an approved pediatric health care facility
20 pursuant to a sexual assault treatment plan or areawide sexual
21 assault treatment plan.

22 "Treatment hospital" means a hospital with a sexual
23 assault treatment plan approved by the Department to provide
24 medical forensic examinations to acute sexual assault
25 survivors.

26 "Treatment hospital with approved pediatric transfer"

1 means a hospital with a treatment plan approved by the
2 Department to provide medical forensic examinations to sexual
3 assault survivors 13 years old or older who present with a
4 complaint of acute sexual assault.

5 (b) This Section is effective on and after January 1,
6 2024.

7 (Source: P.A. 103-154, eff. 6-30-23; 104-386, eff. 1-1-26.)

8 (410 ILCS 70/2-2 new)

9 Sec. 2-2. Use of TeleSANE. Beginning January 1, 2028, a
10 treatment hospital, treatment hospital with approved pediatric
11 transfer, or approved pediatric health care facility may
12 submit a sexual assault treatment plan which includes the use
13 of a TeleSANE interactive telecommunications system which
14 allows a qualified medical provider to precept a medical
15 forensic examination while located at a distant site.

16 If a sexual assault treatment plan includes the use of a
17 TeleSANE interactive telecommunication system, then the sexual
18 assault treatment plan submitted to the Department shall
19 include, at minimum, the following additional information:

20 (1) The sexual assault treatment plan shall include a
21 staffing plan to provide medical forensic examinations to
22 either (i) all acute sexual assault survivors or (ii)
23 acute sexual assault survivors 13 years old or older while
24 transferring pediatric acute sexual assault survivors.
25 Approved pediatric health care facilities shall submit a

1 staffing plan to provide medical forensic examinations to
2 acute sexual assault survivors under the age of 18.

3 (2) The sexual assault treatment plan shall include
4 protocols for training health care professionals at both
5 the originating and distant sites, which shall conform
6 with the following requirements. Health care professionals
7 at the originating site must complete didactic training
8 that meets or is substantially similar to the Sexual
9 Assault Nurse Examiner Education Guidelines, established
10 by the International Association of Forensic Nurses, prior
11 to performing medical forensic examinations using a
12 TeleSANE interactive telecommunications system. Training
13 for both originating and distant site health care
14 professionals shall include at least one mock medical
15 forensic examination using the TeleSANE interactive
16 telecommunications system described in the plan.

17 (3) The sexual assault treatment plan shall include a
18 description of the TeleSANE interactive telecommunications
19 system, a plan for regular technology checks, and
20 protocols in the event of a failure of the TeleSANE
21 interactive telecommunications system.

22 (4) The sexual assault treatment plan shall include a
23 description of the distant site location from which the
24 qualified medical provider or providers shall precept
25 medical forensic examinations using a TeleSANE interactive
26 telecommunications system. Hospitals shall designate a

1 distant site location that is compatible with the TeleSANE
2 interactive telecommunications system and protects the
3 privacy of the patient.

4 (5) The sexual assault treatment plan shall include
5 protocols and policies to maintain a secure network to
6 host the TeleSANE interactive telecommunications system,
7 protect patient privacy and ensure that medical forensic
8 examinations are not recorded.

9 (6) The sexual assault treatment plan shall include a
10 plan to educate the community, including local law
11 enforcement and rape crisis advocates, about medical
12 forensic examinations that use TeleSANE interactive
13 telecommunications.

14 If a hospital submits all required information and the
15 Department finds that the proposed sexual assault treatment
16 plan meets the minimum requirements set forth in Section 5 of
17 this Act and that implementation of the proposed plan would
18 provide medical forensic examinations for acute sexual assault
19 survivors, then the Department shall approve the plan.

20 (410 ILCS 70/5) (from Ch. 111 1/2, par. 87-5)

21 Sec. 5. Minimum requirements for medical forensic
22 examinations provided to sexual assault survivors by hospitals
23 and approved pediatric health care facilities.

24 (a) Every hospital and approved pediatric health care
25 facility providing medical forensic examinations to acute

1 sexual assault survivors under this Act shall, as minimum
2 requirements for such services, provide the services set forth
3 in subsection (a-5).

4 A qualified medical provider must provide the services set
5 forth in subsection (a-5) either in person or via a TeleSANE
6 interactive telecommunications system, as ordered by the
7 attending physician, an advanced practice registered nurse, or
8 a physician assistant.

9 (a-5) A treatment hospital, a treatment hospital with
10 approved pediatric transfer, or an approved pediatric health
11 care facility shall provide the following services in
12 accordance with subsections (a) and (b):

13 (1) Appropriate medical forensic examinations without
14 delay, in a private, age-appropriate or
15 developmentally-appropriate space, required to ensure the
16 health, safety, and welfare of a sexual assault survivor
17 and which may be used as evidence in a criminal proceeding
18 against a person accused of the sexual assault, in a
19 proceeding under the Juvenile Court Act of 1987, or in an
20 investigation under the Abused and Neglected Child
21 Reporting Act.

22 Records of medical forensic examinations, including
23 results of examinations and tests, the Illinois State
24 Police Medical Forensic Documentation Forms, the Illinois
25 State Police Patient Discharge Materials, and the Illinois
26 State Police Patient Consent: Collect and Test Evidence or

1 Collect and Hold Evidence Form, shall be maintained by the
2 hospital or approved pediatric health care facility as
3 part of the patient's electronic medical record.

4 Records of medical forensic examinations of sexual
5 assault survivors under the age of 18 shall be retained by
6 the hospital for a period of 60 years after the sexual
7 assault survivor reaches the age of 18. Records of medical
8 forensic examinations of sexual assault survivors 18 years
9 of age or older shall be retained by the hospital for a
10 period of 20 years after the date the record was created.

11 Records of medical forensic examinations may only be
12 disseminated in accordance with Section 6.5 of this Act
13 and other State and federal law.

14 (1.5) An offer to complete the Illinois State Police
15 Sexual Assault Evidence Collection Kit for any acute
16 sexual assault survivor. If the offer to complete the
17 Illinois State Police Sexual Assault Evidence Collection
18 Kit is accepted by the survivor, then evidence collection
19 shall be completed based on the qualified medical
20 provider's clinical discretion, best practices for
21 evidence collection, and information provided by the
22 sexual assault survivor. A patient may decline any portion
23 of the Illinois State Police Sexual Assault Evidence Kit,
24 but if any evidence is collected, then that shall
25 constitute evidence collection being completed for the
26 purposes of this Section and subsection (e) of Section 2.

1 Nothing in this Section is intended to prohibit a
2 qualified medical provider from offering, on the
3 provider's own accord or in response to a survivor
4 request, an Illinois State Police Sexual Assault Evidence
5 Collection Kit to a sexual assault survivor who presents
6 at a treatment hospital, treatment hospital with approved
7 pediatric transfer, or approved pediatric health care
8 facility with a nonacute complaint of sexual assault
9 according to the qualified medical provider's clinical
10 discretion based on best practices for indications for
11 evidence collection.

12 (A) Appropriate oral and written information
13 concerning evidence-based guidelines for the
14 appropriateness of evidence collection depending on
15 the sexual development of the sexual assault survivor,
16 the type of sexual assault, and the timing of the
17 sexual assault shall be provided to the sexual assault
18 survivor.

19 The information required under this subparagraph
20 shall be provided to the sexual assault survivor by a
21 qualified medical provider either in person or via a
22 virtual or telephone consultation.

23 The written information provided shall be the
24 information created in accordance with Section 10 of
25 this Act.

26 (B) A sexual assault nurse examiner conducting an

1 examination using the Illinois State Police Sexual
2 Assault Evidence Collection Kit may do so without the
3 presence or participation of a physician.

4 (2) Appropriate oral and written information
5 concerning the possibility of infection, sexually
6 transmitted infection, including an evaluation of the
7 sexual assault survivor's risk of contracting human
8 immunodeficiency virus (HIV) from sexual assault, and
9 pregnancy resulting from sexual assault.

10 (3) Appropriate oral and written information
11 concerning accepted medical procedures, laboratory tests,
12 medication, and possible contraindications of such
13 medication available for the prevention or treatment of
14 infection or disease resulting from sexual assault.

15 (3.5) After a medical evidentiary or physical
16 examination, access to a shower at no cost, unless
17 showering facilities are unavailable.

18 (4) An amount of medication, including HIV
19 prophylaxis, for treatment at the hospital or approved
20 pediatric health care facility and after discharge as is
21 deemed appropriate by the attending physician, an advanced
22 practice registered nurse, or a physician assistant in
23 accordance with the Centers for Disease Control and
24 Prevention guidelines and consistent with the hospital's
25 or approved pediatric health care facility's current
26 approved protocol for sexual assault survivors.

1 (5) Photo documentation of the sexual assault
2 survivor's injuries, anatomy involved in the assault, or
3 other visible evidence on the sexual assault survivor's
4 body to supplement the medical forensic history and
5 written documentation of physical findings and evidence
6 beginning July 1, 2019. Photo documentation does not
7 replace written documentation of the injury.

8 (6) Written and oral instructions indicating the need
9 for follow-up examinations and laboratory tests after the
10 sexual assault to determine the presence or absence of
11 sexually transmitted infection.

12 (7) Referral by hospital or approved pediatric health
13 care facility personnel for appropriate counseling.

14 (8) Medical advocacy services provided by a rape
15 crisis counselor whose communications are protected under
16 Section 8-802.1 of the Code of Civil Procedure, if there
17 is a memorandum of understanding between the hospital or
18 approved pediatric health care facility and a rape crisis
19 center. With the consent of the sexual assault survivor, a
20 rape crisis counselor shall remain in the exam room during
21 the medical forensic examination.

22 (9) Written information regarding services provided by
23 a Children's Advocacy Center and rape crisis center, if
24 applicable.

25 (10) A treatment hospital, a treatment hospital with
26 approved pediatric transfer, an out-of-state hospital as

1 defined in Section 5.4, or an approved pediatric health
2 care facility shall comply with the rules relating to the
3 collection and tracking of sexual assault evidence adopted
4 by the Illinois State Police under Section 50 of the
5 Sexual Assault Evidence Submission Act.

6 (11) Written information regarding the Illinois State
7 Police sexual assault evidence tracking system.

8 (a-7) Every hospital with a treatment plan approved by the
9 Department and every approved pediatric health care facility
10 shall employ or contract with a qualified medical provider to
11 initiate a medical forensic examination to a sexual assault
12 survivor within 90 minutes of a concern arising at the
13 hospital or facility of acute sexual assault. The provision of
14 a medical forensic examination by a qualified medical provider
15 shall not delay the provision of life-saving medical care.

16 (b) Before a medical forensic examination is provided,
17 consent must be obtained in accordance with this Section.
18 Evidence collection shall not be completed without first
19 obtaining consent.

20 (1) Any person able to consent who is a sexual assault
21 survivor who seeks a medical forensic examination or
22 follow-up healthcare under this Act shall be provided such
23 services without the consent of any parent, guardian,
24 custodian, surrogate, or agent.

25 (2) If a minor sexual assault survivor under the age
26 of 18 is unable to consent to a medical forensic

1 examination, the examination may be provided with the
2 consent of the survivor's parent, guardian, or health care
3 power of attorney and with the assent of the sexual
4 assault survivor.

5 (3) If an adult sexual assault survivor is unable to
6 consent to a medical forensic examination, the examination
7 may be provided with the consent of the survivor's
8 guardian or health care power of attorney and with the
9 assent of the sexual assault survivor.

10 (b-5) Every hospital or approved pediatric health care
11 facility providing medical forensic examinations to acute
12 sexual assault survivors shall issue a voucher to any sexual
13 assault survivor who is eligible to receive one in accordance
14 with Section 5.2 of this Act. The hospital or approved
15 pediatric health care facility shall make a copy of the
16 voucher and place it in the medical record of the sexual
17 assault survivor. The hospital or approved pediatric health
18 care facility shall provide a copy of the voucher to the sexual
19 assault survivor after discharge upon request.

20 (c) Nothing in this Section creates a physician-patient
21 relationship that extends beyond discharge from the hospital
22 or approved pediatric health care facility.

23 (d) This Section is effective on and after January 1,
24 2024.

25 (Source: P.A. 104-386, eff. 1-1-26.)

1 Section 10. The Juvenile Court Act of 1987 is amended by
2 changing Section 5-905 as follows:

3 (705 ILCS 405/5-905)

4 Sec. 5-905. Law enforcement records.

5 (1) Law Enforcement Records. Inspection and copying of law
6 enforcement records maintained by law enforcement agencies
7 that relate to a minor who has been investigated, arrested, or
8 taken into custody before the minor's 18th birthday shall be
9 restricted to the following and when necessary for the
10 discharge of their official duties:

11 (a) A judge of the circuit court and members of the
12 staff of the court designated by the judge;

13 (b) Law enforcement officers, probation officers or
14 prosecutors or their staff, or, when necessary for the
15 discharge of its official duties in connection with a
16 particular investigation of the conduct of a law
17 enforcement officer, an independent agency or its staff
18 created by ordinance and charged by a unit of local
19 government with the duty of investigating the conduct of
20 law enforcement officers;

21 (c) The minor, the minor's parents or legal guardian
22 and their attorneys, but only when the juvenile has been
23 charged with an offense;

24 (d) Adult and Juvenile Prisoner Review Boards;

25 (e) Authorized military personnel;

1 (f) Persons engaged in bona fide research, with the
2 permission of the judge of juvenile court and the chief
3 executive of the agency that prepared the particular
4 recording: provided that publication of such research
5 results in no disclosure of a minor's identity and
6 protects the confidentiality of the record;

7 (g) Individuals responsible for supervising or
8 providing temporary or permanent care and custody of
9 minors pursuant to orders of the juvenile court or
10 directives from officials of the Department of Children
11 and Family Services or the Department of Human Services
12 who certify in writing that the information will not be
13 disclosed to any other party except as provided under law
14 or order of court;

15 (h) The appropriate school official only if the agency
16 or officer believes that there is an imminent threat of
17 physical harm to students, school personnel, or others who
18 are present in the school or on school grounds.

19 (A) Inspection and copying shall be limited to
20 law enforcement records transmitted to the appropriate
21 school official or officials whom the school has
22 determined to have a legitimate educational or safety
23 interest by a local law enforcement agency under a
24 reciprocal reporting system established and maintained
25 between the school district and the local law
26 enforcement agency under Section 10-20.14 of the

1 School Code concerning a minor enrolled in a school
2 within the school district who has been arrested or
3 taken into custody for any of the following offenses:

4 (i) any violation of Article 24 of the
5 Criminal Code of 1961 or the Criminal Code of
6 2012;

7 (ii) a violation of the Illinois Controlled
8 Substances Act;

9 (iii) a violation of the Cannabis Control Act;

10 (iv) a forcible felony as defined in Section
11 2-8 of the Criminal Code of 1961 or the Criminal
12 Code of 2012;

13 (v) a violation of the Methamphetamine Control
14 and Community Protection Act;

15 (vi) a violation of Section 1-2 of the
16 Harassing and Obscene Communications Act;

17 (vii) a violation of the Hazing Act; or

18 (viii) a violation of Section 12-1, 12-2,
19 12-3, 12-3.05, 12-3.1, 12-3.2, 12-3.4, 12-3.5,
20 12-5, 12-7.3, 12-7.4, 12-7.5, 25-1, or 25-5 of the
21 Criminal Code of 1961 or the Criminal Code of
22 2012.

23 The information derived from the law enforcement
24 records shall be kept separate from and shall not
25 become a part of the official school record of that
26 child and shall not be a public record. The

1 information shall be used solely by the appropriate
2 school official or officials whom the school has
3 determined to have a legitimate educational or safety
4 interest to aid in the proper rehabilitation of the
5 child and to protect the safety of students and
6 employees in the school. If the designated law
7 enforcement and school officials deem it to be in the
8 best interest of the minor, the student may be
9 referred to in-school or community based social
10 services if those services are available.
11 "Rehabilitation services" may include interventions by
12 school support personnel, evaluation for eligibility
13 for special education, referrals to community-based
14 agencies such as youth services, behavioral healthcare
15 service providers, drug and alcohol prevention or
16 treatment programs, and other interventions as deemed
17 appropriate for the student.

18 (B) Any information provided to appropriate school
19 officials whom the school has determined to have a
20 legitimate educational or safety interest by local law
21 enforcement officials about a minor who is the subject
22 of a current police investigation that is directly
23 related to school safety shall consist of oral
24 information only, and not written law enforcement
25 records, and shall be used solely by the appropriate
26 school official or officials to protect the safety of

1 students and employees in the school and aid in the
2 proper rehabilitation of the child. The information
3 derived orally from the local law enforcement
4 officials shall be kept separate from and shall not
5 become a part of the official school record of the
6 child and shall not be a public record. This
7 limitation on the use of information about a minor who
8 is the subject of a current police investigation shall
9 in no way limit the use of this information by
10 prosecutors in pursuing criminal charges arising out
11 of the information disclosed during a police
12 investigation of the minor. For purposes of this
13 paragraph, "investigation" means an official
14 systematic inquiry by a law enforcement agency into
15 actual or suspected criminal activity;

16 (i) The president of a park district. Inspection and
17 copying shall be limited to law enforcement records
18 transmitted to the president of the park district by the
19 Illinois State Police under Section 8-23 of the Park
20 District Code or Section 16a-5 of the Chicago Park
21 District Act concerning a person who is seeking employment
22 with that park district and who has been adjudicated a
23 juvenile delinquent for any of the offenses listed in
24 subsection (c) of Section 8-23 of the Park District Code
25 or subsection (c) of Section 16a-5 of the Chicago Park
26 District Act.

1 (j) Victims and their attorneys, except in cases of
2 multiple minor victims or multiple victims of sex offenses
3 in which case the information identifying the
4 nonrequesting victims shall be redacted.

5 (2) Information identifying victims and alleged victims of
6 sex offenses, shall not be disclosed or open to public
7 inspection under any circumstances. Nothing in this Section
8 shall prohibit the victim or alleged victim of any sex offense
9 from voluntarily disclosing this identity.

10 (2.5) If the minor is a victim of aggravated battery,
11 battery, attempted first degree murder, or other non-sexual
12 violent offense, the identity of the victim may be disclosed
13 to appropriate school officials, for the purpose of preventing
14 foreseeable future violence involving minors, by a local law
15 enforcement agency pursuant to an agreement established
16 between the school district and a local law enforcement agency
17 subject to the approval by the presiding judge of the juvenile
18 court.

19 (3) Relevant information, reports and records shall be
20 made available to the Department of Juvenile Justice when a
21 juvenile offender has been placed in the custody of the
22 Department of Juvenile Justice.

23 (4) Nothing in this Section shall prohibit the inspection
24 or disclosure to victims and witnesses of photographs
25 contained in the records of law enforcement agencies when the
26 inspection or disclosure is conducted in the presence of a law

1 enforcement officer for purposes of identification or
2 apprehension of any person in the course of any criminal
3 investigation or prosecution.

4 (5) The records of law enforcement officers, or of an
5 independent agency created by ordinance and charged by a unit
6 of local government with the duty of investigating the conduct
7 of law enforcement officers, concerning all minors under 18
8 years of age must be maintained separate from the records of
9 adults and may not be open to public inspection or their
10 contents disclosed to the public except by order of the court
11 or when the institution of criminal proceedings has been
12 permitted under Section 5-130 or 5-805 or required under
13 Section 5-130 or 5-805 or such a person has been convicted of a
14 crime and is the subject of pre-sentence investigation or when
15 provided by law.

16 (6) Except as otherwise provided in this subsection (6),
17 law enforcement officers, and personnel of an independent
18 agency created by ordinance and charged by a unit of local
19 government with the duty of investigating the conduct of law
20 enforcement officers, may not disclose the identity of any
21 minor in releasing information to the general public as to the
22 arrest, investigation or disposition of any case involving a
23 minor. Any victim or parent or legal guardian of a victim may
24 petition the court to disclose the name and address of the
25 minor and the minor's parents or legal guardian, or both. Upon
26 a finding by clear and convincing evidence that the disclosure

1 is either necessary for the victim to pursue a civil remedy
2 against the minor or the minor's parents or legal guardian, or
3 both, or to protect the victim's person or property from the
4 minor, then the court may order the disclosure of the
5 information to the victim or to the parent or legal guardian of
6 the victim only for the purpose of the victim pursuing a civil
7 remedy against the minor or the minor's parents or legal
8 guardian, or both, or to protect the victim's person or
9 property from the minor.

10 (7) Nothing contained in this Section shall prohibit law
11 enforcement agencies when acting in their official capacity
12 from communicating with each other by letter, memorandum,
13 teletype or intelligence alert bulletin or other means the
14 identity or other relevant information pertaining to a person
15 under 18 years of age. The information provided under this
16 subsection (7) shall remain confidential and shall not be
17 publicly disclosed, except as otherwise allowed by law.

18 (8) No person shall disclose information under this
19 Section except when acting in the person's official capacity
20 and as provided by law or order of court.

21 (9) The changes made to this Section by Public Act 98-61
22 apply to law enforcement records of a minor who has been
23 arrested or taken into custody on or after January 1, 2014 (the
24 effective date of Public Act 98-61).

25 (10) Nothing contained in this Section shall prohibit law
26 enforcement agencies from disclosing law enforcement reports

1 and records to the Attorney General for the purposes of
2 complying with the Crime Victims Compensation Act.

3 (Source: P.A. 103-22, eff. 8-8-23; 103-1037, eff. 8-9-24.)

4 Section 15. The Rights of Crime Victims and Witnesses Act
5 is amended by changing Sections 3, 4, and 4.5 as follows:

6 (725 ILCS 120/3) (from Ch. 38, par. 1403)

7 Sec. 3. The terms used in this Act shall have the following
8 meanings:

9 (a) "Crime victim" or "victim" means: (1) any natural
10 person determined by the prosecutor or the court to have
11 suffered direct physical or psychological harm as a result of
12 a violent crime perpetrated or attempted against that person
13 or direct physical or psychological harm as a result of (i) a
14 violation of Section 11-501 of the Illinois Vehicle Code or
15 similar provision of a local ordinance or (ii) a violation of
16 Section 9-3 of the Criminal Code of 1961 or the Criminal Code
17 of 2012; (2) in the case of a crime victim who is under 18
18 years of age or an adult victim who is incompetent or
19 incapacitated, both parents, legal guardians, foster parents,
20 or a single adult representative; (3) in the case of an adult
21 deceased victim, 2 representatives who may be the spouse,
22 parent, child or sibling of the victim, or the representative
23 of the victim's estate; and (4) an immediate family member of a
24 victim under clause (1) of this paragraph (a) chosen by the

1 victim. If the victim is 18 years of age or over, the victim
2 may choose any person to be the victim's representative. In no
3 event shall the defendant or any person who aided and abetted
4 in the commission of the crime be considered a victim, a crime
5 victim, or a representative of the victim.

6 A board, agency, or other governmental entity making
7 decisions regarding an offender's release, sentence reduction,
8 or clemency can determine additional persons are victims for
9 the purpose of its proceedings.

10 (a-3) "Advocate" means a person whose communications with
11 the victim are privileged under Section 8-802.1 or 8-802.2 of
12 the Code of Civil Procedure, or Section 227 of the Illinois
13 Domestic Violence Act of 1986.

14 (a-5) "Confer" means to consult together, share
15 information, compare opinions and carry on a discussion or
16 deliberation.

17 (a-6) "DNA database" means a collection of DNA profiles
18 from forensic casework or specimens from anonymous,
19 identified, and unidentified sources that is created to search
20 DNA records against each other to develop investigative leads
21 among forensic cases.

22 (a-7) "Sentence" includes, but is not limited to, the
23 imposition of sentence, a request for a reduction in sentence,
24 parole, mandatory supervised release, aftercare release, early
25 release, inpatient treatment, outpatient treatment,
26 conditional release after a finding that the defendant is not

1 guilty by reason of insanity, clemency, or a proposal that
2 would reduce the defendant's sentence or result in the
3 defendant's release. "Early release" refers to a discretionary
4 release.

5 (a-9) "Sentencing" includes, but is not limited to, the
6 imposition of sentence and a request for a reduction in
7 sentence, parole, mandatory supervised release, aftercare
8 release, early release, consideration of inpatient treatment
9 or outpatient treatment, or conditional release after a
10 finding that the defendant is not guilty by reason of
11 insanity.

12 (a-10) "Status hearing" means a hearing designed to
13 provide information to the court, at which no motion of a
14 substantive nature and no constitutional or statutory right of
15 a crime victim is implicated or at issue.

16 (b) "Witness" means: any person who personally observed
17 the commission of a crime and who will testify on behalf of the
18 State of Illinois; or a person who will be called by the
19 prosecution to give testimony establishing a necessary nexus
20 between the offender and the violent crime.

21 (c) "Violent crime" means: (1) any felony in which force
22 or threat of force was used against the victim; (2) any offense
23 involving sexual exploitation, sexual conduct, or sexual
24 penetration; (3) a violation of Section 11-20.1, 11-20.1B,
25 11-20.3, 11-23, or 11-23.5 of the Criminal Code of 1961 or the
26 Criminal Code of 2012; (4) domestic battery or stalking; (5)

1 violation of an order of protection, a civil no contact order,
2 or a stalking no contact order; (6) any misdemeanor which
3 results in death or great bodily harm to the victim; or (7) any
4 violation of Section 9-3 of the Criminal Code of 1961 or the
5 Criminal Code of 2012, or Section 11-501 of the Illinois
6 Vehicle Code, or a similar provision of a local ordinance, if
7 the violation resulted in personal injury or death. "Violent
8 crime" includes any action committed by a juvenile that would
9 be a violent crime if committed by an adult. For the purposes
10 of this paragraph, "personal injury" shall include any Type A
11 injury as indicated on the traffic crash report completed by a
12 law enforcement officer that requires immediate professional
13 attention in either a doctor's office or medical facility. A
14 type A injury shall include severely bleeding wounds,
15 distorted extremities, and injuries that require the injured
16 party to be carried from the scene.

17 (d) (Blank).

18 (e) "Court proceedings" includes, but is not limited to,
19 the preliminary hearing, any post-arraignment hearing the
20 effect of which may be the release of the defendant from
21 custody or to alter the conditions of pretrial release,
22 including determinations made under subsection (g) or (j) of
23 Section 110-6 of the Code of Criminal Procedure of 1963,
24 change of plea hearing, the trial, any pretrial or post-trial
25 hearing, sentencing, any oral argument or hearing before an
26 Illinois appellate court, any hearing under the Mental Health

1 and Developmental Disabilities Code or Section 5-2-4 of the
2 Unified Code of Corrections after a finding that the defendant
3 is not guilty by reason of insanity, including a hearing for
4 conditional release, any hearing related to a modification of
5 sentence, probation revocation hearing, aftercare release or
6 parole hearings, post-conviction relief proceedings, habeas
7 corpus proceedings and clemency proceedings related to the
8 defendant's conviction or sentence. For purposes of the
9 victim's right to be present, "court proceedings" does not
10 include (1) grand jury proceedings, (2) status hearings, or
11 (3) the issuance of an order or decision of an Illinois court
12 that dismisses a charge, reverses a conviction, reduces a
13 sentence, or releases an offender under a court rule.

14 (f) "Concerned citizen" includes relatives of the victim,
15 friends of the victim, witnesses to the crime, or any other
16 person associated with the victim or prisoner.

17 (g) "Victim's attorney" means an attorney retained by the
18 victim for the purposes of asserting the victim's
19 constitutional and statutory rights. An attorney retained by
20 the victim means an attorney who is hired to represent the
21 victim at the victim's expense or an attorney who has agreed to
22 provide pro bono representation. Nothing in this statute
23 creates a right to counsel at public expense for a victim.

24 (h) "Support person" means a person chosen by a victim to
25 be present at court proceedings.

26 (Source: P.A. 103-792, eff. 1-1-25; 104-173, eff. 1-1-26.)

1 (725 ILCS 120/4)

2 Sec. 4. Rights of crime victims.

3 (a) Crime victims shall have the following rights:

4 (1) The right to be treated with fairness and respect
5 for their dignity and privacy and to be free from
6 harassment, intimidation, and abuse throughout the
7 criminal justice process.

8 (1.1) (Blank). ~~When a person reports being a crime~~
9 ~~victim as defined in Section 3, the right to be treated~~
10 ~~with fairness and respect during the investigatory~~
11 ~~process, including the right to be free from deception,~~
12 ~~which is the knowing communication of false facts about~~
13 ~~evidence.~~

14 (1.5) The right to notice and to a hearing before a
15 court ruling on a request for access to any of the victim's
16 records, information, or communications which are
17 privileged or confidential by law.

18 (1.6) (Blank). ~~Except as otherwise provided in Section~~
19 ~~9.5 of the Criminal Identification Act or Section 3-3013~~
20 ~~of the Counties Code, whenever a person's DNA profile is~~
21 ~~collected due to the person being a victim of a crime, as~~
22 ~~identified by law enforcement, that specific profile~~
23 ~~collected in conjunction with that criminal investigation~~
24 ~~shall not be entered into any DNA database. Nothing in~~
25 ~~this paragraph (1.6) shall be interpreted to contradict~~

1 ~~rules and regulations developed by the Federal Bureau of~~
2 ~~Investigation relating to the National DNA Index System or~~
3 ~~Combined DNA Index System.~~

4 (2) The right to timely notification of all court
5 proceedings. Timely notification shall include 7 days'
6 notice of all court proceedings.

7 (3) The right to communicate with the prosecution.

8 (4) The right to be heard at any post-arraignment
9 court proceeding in which a right of the victim is at issue
10 and any court proceeding involving a post-arraignment
11 release decision, plea, or sentencing.

12 (5) The right to be notified of the conviction, the
13 sentence, the imprisonment, and the release of the
14 accused.

15 (6) The right to the timely disposition of the case
16 following the arrest of the accused.

17 (7) The right to be reasonably protected from the
18 accused through the criminal justice process.

19 (7.5) The right to have the safety of the victim and
20 the victim's family considered in determining whether to
21 release the defendant and setting conditions of release
22 after arrest and conviction.

23 (8) The right to be present at the trial and all other
24 court proceedings on the same basis as the accused, unless
25 the victim is to testify and the court determines that the
26 victim's testimony would be materially affected if the

1 victim hears other testimony at the trial.

2 (9) The right to have present at all court
3 proceedings, including proceedings under the Juvenile
4 Court Act of 1987, subject to the rules of evidence, an
5 advocate and other support person of the victim's choice.

6 (10) The right to restitution.

7 (b) Any law enforcement agency that investigates an
8 offense committed in this State shall provide a crime victim
9 with a written statement and explanation of the rights of
10 crime victims under Public Act 99-413 ~~this amendatory Act of~~
11 ~~the 99th General Assembly~~ within 48 hours of law enforcement's
12 initial contact with a victim. The statement shall include
13 information about crime victim compensation, including how to
14 contact the Office of the Illinois Attorney General to file a
15 claim, and appropriate referrals to local and State programs
16 that provide victim services. The content of the statement
17 shall be provided to law enforcement by the Attorney General.
18 Law enforcement shall also provide a crime victim with a
19 sign-off sheet that the victim shall sign and date as an
20 acknowledgement that he or she has been furnished with
21 information and an explanation of the rights of crime victims
22 and compensation set forth in this Act.

23 (b-5) Upon the request of the victim, the law enforcement
24 agency having jurisdiction shall provide a free copy of the
25 police report concerning the victim's incident, as soon as
26 practicable, but in no event later than 5 business days from

1 the request. Nothing in this subsection shall be interpreted
2 to contradict the requirements of the Juvenile Court Act of
3 1987.

4 (c) The Clerk of the Circuit Court shall post the rights of
5 crime victims set forth in Article I, Section 8.1(a) of the
6 Illinois Constitution and subsection (a) of this Section
7 within 3 feet of the door to any courtroom where criminal
8 proceedings are conducted. The clerk may also post the rights
9 in other locations in the courthouse.

10 (d) At any point, the victim has the right to retain a
11 victim's attorney who may be present during all stages of any
12 interview, investigation, or other interaction with
13 representatives of the criminal justice system. Treatment of
14 the victim should not be affected or altered in any way as a
15 result of the victim's decision to exercise this right.

16 (Source: P.A. 103-792, eff. 1-1-25; 104-173, eff. 1-1-26;
17 104-326, eff. 1-1-26; revised 11-21-25.)

18 (725 ILCS 120/4.5)

19 Sec. 4.5. Procedures to implement the rights of crime
20 victims. To afford crime victims their rights, law
21 enforcement, prosecutors, judges, and corrections will provide
22 information, as appropriate, of the following procedures:

23 (a) At the request of the crime victim, law enforcement
24 authorities investigating the case shall provide notice of the
25 status of the investigation, except where the State's Attorney

1 determines that disclosure of such information would
2 unreasonably interfere with the investigation, until such time
3 as the alleged assailant is apprehended or the investigation
4 is closed.

5 (a-5) When law enforcement authorities reopen a closed
6 case to resume investigating, they shall provide notice of the
7 reopening of the case, except where the State's Attorney
8 determines that disclosure of such information would
9 unreasonably interfere with the investigation.

10 (a-6) The Prisoner Review Board shall publish on its
11 official public website and provide to registered victims
12 information regarding how to submit a victim impact statement.
13 The Prisoner Review Board shall consider victim impact
14 statements from any registered victims. Any registered victim,
15 including a person who has had a final, plenary,
16 non-emergency, or emergency protective order granted against
17 the petitioner or parole candidate under Article 112A of the
18 Code of Criminal Procedure of 1963, the Illinois Domestic
19 Violence Act of 1986, the Stalking No Contact Order Act, or the
20 Civil No Contact Order Act, may present victim statements that
21 the Prisoner Review Board shall consider in its deliberations.

22 (b) The office of the State's Attorney:

23 (1) shall provide notice of the filing of an
24 information, the return of an indictment, or the filing of
25 a petition to adjudicate a minor as a delinquent for a
26 violent crime;

1 (2) shall provide 7 days' notice of the date, time,
2 expected purpose, and place of court proceedings; of any
3 change in the date, time, expected purpose, and place of
4 court proceedings; and of any cancellation of court
5 proceedings. For preliminary hearings and hearings
6 regarding pretrial release or that alter the conditions of
7 pretrial release only, if giving the victim 7 days' notice
8 is impossible, fewer days may be timely, so long as the
9 notice is provided as soon as practicable and in advance
10 of the proceeding. Notice shall be provided in sufficient
11 time, wherever possible, for the victim to make
12 arrangements to attend or to prevent an unnecessary
13 appearance at court proceedings;

14 (3) or victim advocate personnel shall provide
15 information of social services and financial assistance
16 available for victims of crime, including information of
17 how to apply for these services and assistance;

18 (3.5) or victim advocate personnel shall provide
19 information about available victim services, including
20 referrals to programs, counselors, and agencies that
21 assist a victim to deal with trauma, loss, and grief;

22 (4) shall assist in having any stolen or other
23 personal property held by law enforcement authorities for
24 evidentiary or other purposes returned as expeditiously as
25 possible, pursuant to the procedures set out in Section
26 115-9 of the Code of Criminal Procedure of 1963;

1 (5) or victim advocate personnel shall provide
2 appropriate employer intercession services to ensure that
3 employers of victims will cooperate with the criminal
4 justice system in order to minimize an employee's loss of
5 pay and other benefits resulting from court appearances;

6 (6) shall provide, whenever possible, a secure waiting
7 area during court proceedings that does not require
8 victims to be in close proximity to defendants or
9 juveniles accused of a violent crime, and their families
10 and friends;

11 (7) shall provide notice to the crime victim of the
12 right to have a translator present at all court
13 proceedings and, in compliance with the federal Americans
14 with Disabilities Act of 1990, the right to communications
15 access through a sign language interpreter or by other
16 means;

17 (8) (blank);

18 (8.5) shall inform the victim of the right to be
19 present at all court proceedings, unless the victim is to
20 testify and the court determines that the victim's
21 testimony would be materially affected if the victim hears
22 other testimony at trial;

23 (9) shall inform the victim of the right to have
24 present at all court proceedings, subject to the rules of
25 evidence and confidentiality, an advocate and other
26 support person of the victim's choice;

1 (9.3) shall inform the victim of the right to retain
2 an attorney, at the victim's own expense, who, upon
3 written notice filed with the clerk of the court and
4 State's Attorney, is to receive copies of all notices,
5 motions, and court orders filed thereafter in the case, in
6 the same manner as if the victim were a named party in the
7 case;

8 (9.5) shall inform the victim of (A) the victim's
9 right under Section 6 of this Act to make a statement at
10 the sentencing hearing; (B) the right of the victim's
11 spouse, guardian, parent, grandparent, and other immediate
12 family and household members under Section 6 of this Act
13 to present a statement at sentencing; and (C) if a
14 presentence report is to be prepared, the right of the
15 victim's spouse, guardian, parent, grandparent, and other
16 immediate family and household members to submit
17 information to the preparer of the presentence report
18 about the effect the offense has had on the victim and the
19 person;

20 (10) at the sentencing shall make a good faith attempt
21 to explain the minimum amount of time during which the
22 defendant may actually be physically imprisoned. The
23 Office of the State's Attorney shall further notify the
24 crime victim of the right to request from the Prisoner
25 Review Board or Department of Juvenile Justice information
26 concerning the release of the defendant;

1 (11) shall request restitution at sentencing and as
2 part of a plea agreement if the victim requests
3 restitution;

4 (12) shall, upon the court entering a verdict of not
5 guilty by reason of insanity, inform the victim of the
6 notification services available from the Department of
7 Human Services, including the statewide telephone number,
8 under subparagraph (d) (2) of this Section;

9 (13) shall provide notice within a reasonable time
10 after receipt of notice from the custodian, of the release
11 of the defendant on pretrial release or personal
12 recognizance or the release from detention of a minor who
13 has been detained;

14 (14) shall explain in nontechnical language the
15 details of any plea or verdict of a defendant, or any
16 adjudication of a juvenile as a delinquent;

17 (15) shall make all reasonable efforts to consult with
18 the crime victim before the Office of the State's Attorney
19 makes an offer of a plea bargain to the defendant or enters
20 into negotiations with the defendant concerning a possible
21 plea agreement, and shall consider the written statement,
22 if prepared prior to entering into a plea agreement. The
23 right to consult with the prosecutor does not include the
24 right to veto a plea agreement or to insist the case go to
25 trial. If the State's Attorney has not consulted with the
26 victim prior to making an offer or entering into plea

1 negotiations with the defendant, the Office of the State's
2 Attorney shall notify the victim of the offer or the
3 negotiations within 2 business days and confer with the
4 victim;

5 (16) shall provide notice of the ultimate disposition
6 of the cases arising from an indictment or an information,
7 or a petition to have a juvenile adjudicated as a
8 delinquent for a violent crime;

9 (17) shall provide notice of any appeal taken by the
10 defendant and information on how to contact the
11 appropriate agency handling the appeal, and how to request
12 notice of any hearing, oral argument, or decision of an
13 appellate court;

14 (18) shall provide timely notice of any request for
15 post-conviction review filed by the defendant under
16 Article 122 of the Code of Criminal Procedure of 1963, and
17 of the date, time and place of any hearing concerning the
18 petition. Whenever possible, notice of the hearing shall
19 be given within 48 hours of the court's scheduling of the
20 hearing;

21 (19) shall forward a copy of any statement presented
22 under Section 6 to the Prisoner Review Board or Department
23 of Juvenile Justice to be considered in making a
24 determination under Section 3-2.5-85 or subsection (b) of
25 Section 3-3-8 of the Unified Code of Corrections;

26 (20) shall, within a reasonable time, offer to meet

1 with the crime victim regarding the decision of the
2 State's Attorney not to charge an offense, and shall meet
3 with the victim, if the victim agrees. The victim has a
4 right to have an attorney, advocate, and other support
5 person of the victim's choice attend this meeting with the
6 victim; and

7 (21) shall give the crime victim timely notice of any
8 decision not to pursue charges and consider the safety of
9 the victim when deciding how to give such notice.

10 (c) The court shall ensure that the rights of the victim
11 are afforded.

12 (c-5) The following procedures shall be followed to afford
13 victims the rights guaranteed by Article I, Section 8.1 of the
14 Illinois Constitution:

15 (1) Written notice. A victim may complete a written
16 notice of victim ~~intent to assert~~ rights on a form
17 prepared by the Office of the Attorney General and
18 provided to the victim by the State's Attorney. The victim
19 may at any time provide a revised written notice to the
20 State's Attorney. The State's Attorney shall file the
21 written notice with the court. At the beginning of any
22 court proceeding in which the right of a victim may be at
23 issue, the court and prosecutor shall review the written
24 notice to determine whether a ~~the~~ victim ~~has asserted the~~
25 right ~~that~~ may be at issue.

26 (2) Victim's retained attorney. A victim's attorney

1 shall file an entry of appearance limited to assertion of
2 the victim's rights. Upon the filing of the entry of
3 appearance and service on the State's Attorney and the
4 defendant, the attorney is to receive copies of all
5 notices, motions and court orders filed thereafter in the
6 case.

7 (3) Standing. The victim has standing to assert the
8 rights enumerated in subsection (a) of Article I, Section
9 8.1 of the Illinois Constitution and the statutory rights
10 under Section 4 of this Act in any court exercising
11 jurisdiction over the criminal case. The prosecuting
12 attorney, a victim, or the victim's retained attorney may
13 assert the victim's rights. The defendant in the criminal
14 case has no standing to assert a right of the victim in any
15 court proceeding, including on appeal.

16 (4) Assertion of and enforcement of rights.

17 (A) The prosecuting attorney shall assert a
18 victim's right or request enforcement of a right by
19 filing a motion or by orally asserting the right or
20 requesting enforcement in open court in the criminal
21 case outside the presence of the jury. The prosecuting
22 attorney shall consult with the victim and the
23 victim's attorney regarding the assertion or
24 enforcement of a right. If the prosecuting attorney
25 decides not to assert or enforce a victim's right, the
26 prosecuting attorney shall notify the victim or the

1 victim's attorney in sufficient time to allow the
2 victim or the victim's attorney to assert the right or
3 to seek enforcement of a right.

4 (B) If the prosecuting attorney elects not to
5 assert a victim's right or to seek enforcement of a
6 right, the victim or the victim's attorney may assert
7 the victim's right or request enforcement of a right
8 by filing a motion or by orally asserting the right or
9 requesting enforcement in open court in the criminal
10 case outside the presence of the jury.

11 (C) If the prosecuting attorney asserts a victim's
12 right or seeks enforcement of a right, unless the
13 prosecuting attorney objects or the trial court does
14 not allow it, the victim or the victim's attorney may
15 be heard regarding the prosecuting attorney's motion
16 or may file a simultaneous motion to assert or request
17 enforcement of the victim's right. If the victim or
18 the victim's attorney was not allowed to be heard at
19 the hearing regarding the prosecuting attorney's
20 motion, and the court denies the prosecuting
21 attorney's assertion of the right or denies the
22 request for enforcement of a right, the victim or
23 victim's attorney may file a motion to assert the
24 victim's right or to request enforcement of the right
25 within 10 days of the court's ruling. The motion need
26 not demonstrate the grounds for a motion for

1 reconsideration. The court shall rule on the merits of
2 the motion.

3 (D) The court shall take up and decide any motion
4 or request asserting or seeking enforcement of a
5 victim's right without delay, unless a specific time
6 period is specified by law or court rule. The reasons
7 for any decision denying the motion or request shall
8 be clearly stated on the record.

9 (E) No later than January 1, 2023, the Office of
10 the Attorney General shall:

11 (i) designate an administrative authority
12 within the Office of the Attorney General to
13 receive and investigate complaints relating to the
14 provision or violation of the rights of a crime
15 victim as described in Article I, Section 8.1 of
16 the Illinois Constitution and in this Act;

17 (ii) create and administer a course of
18 training for employees and offices of the State of
19 Illinois that fail to comply with provisions of
20 Illinois law pertaining to the treatment of crime
21 victims as described in Article I, Section 8.1 of
22 the Illinois Constitution and in this Act as
23 required by the court under Section 5 of this Act;
24 and

25 (iii) have the authority to make
26 recommendations to employees and offices of the

1 State of Illinois to respond more effectively to
2 the needs of crime victims, including regarding
3 the violation of the rights of a crime victim.

4 (F) Crime victims' rights may also be asserted by
5 filing a complaint for mandamus, injunctive, or
6 declaratory relief in the jurisdiction in which the
7 victim's right is being violated or where the crime is
8 being prosecuted. For complaints or motions filed by
9 or on behalf of the victim, the clerk of court shall
10 waive filing fees that would otherwise be owed by the
11 victim for any court filing with the purpose of
12 enforcing crime victims' rights. If the court denies
13 the relief sought by the victim, the reasons for the
14 denial shall be clearly stated on the record in the
15 transcript of the proceedings, in a written opinion,
16 or in the docket entry, and the victim may appeal the
17 circuit court's decision to the appellate court. The
18 court shall issue prompt rulings regarding victims'
19 rights. Proceedings seeking to enforce victims' rights
20 shall not be stayed or subject to unreasonable delay
21 via continuances.

22 (5) Violation of rights and remedies.

23 (A) If the court determines that a victim's right
24 has been violated, the court shall determine the
25 appropriate remedy for the violation of the victim's
26 right by hearing from the victim and the parties,

1 considering all factors relevant to the issue, and
2 then awarding appropriate relief to the victim.

3 (A-5) Consideration of an issue of a substantive
4 nature or an issue that implicates the constitutional
5 or statutory right of a victim at a court proceeding
6 labeled as a status hearing shall constitute a per se
7 violation of a victim's right.

8 (B) The appropriate remedy shall include only
9 actions necessary to provide the victim the right to
10 which the victim was entitled. Remedies may include,
11 but are not limited to: injunctive relief requiring
12 the victim's right to be afforded; declaratory
13 judgment recognizing or clarifying the victim's
14 rights; a writ of mandamus; and may include reopening
15 previously held proceedings; however, in no event
16 shall the court vacate a conviction. Any remedy shall
17 be tailored to provide the victim an appropriate
18 remedy without violating any constitutional right of
19 the defendant. In no event shall the appropriate
20 remedy to the victim be a new trial or damages.

21 The court shall impose a mandatory training course
22 provided by the Attorney General for the employee under
23 item (ii) of subparagraph (E) of paragraph (4), which must
24 be successfully completed within 6 months of the entry of
25 the court order.

26 This paragraph (5) takes effect January 2, 2023.

1 (6) Right to be heard. Whenever a victim has the right
2 to be heard, the court shall allow the victim to exercise
3 the right in any reasonable manner the victim chooses.

4 (7) Right to attend trial.

5 (A) A party must file a written motion to exclude a
6 victim from trial at least 60 days prior to the date set
7 for trial. The motion must state with specificity the
8 reason exclusion is necessary to protect a constitutional
9 right of the party, and must contain an offer of proof. The
10 court shall rule on the motion within 30 days. If the
11 motion is granted, the court shall set forth on the record
12 the facts that support its finding that the victim's
13 testimony will be materially affected if the victim hears
14 other testimony at trial.

15 (B) A victim, as defined in Section 3, shall not be
16 excluded from any part of the trial unless the procedure
17 in subparagraph (A) of this paragraph (7) was timely
18 followed.

19 (8) Right to have advocate and support person present
20 at court proceedings.

21 (A) A party who intends to call an advocate as a
22 witness at trial must seek permission of the court
23 before the subpoena is issued. The party must file a
24 written motion at least 90 days before trial that sets
25 forth specifically the issues on which the advocate's
26 testimony is sought and an offer of proof regarding

1 (i) the content of the anticipated testimony of the
2 advocate; and (ii) the relevance, admissibility, and
3 materiality of the anticipated testimony. The court
4 shall consider the motion and make findings within 30
5 days of the filing of the motion. If the court finds by
6 a preponderance of the evidence that: (i) the
7 anticipated testimony is not protected by an absolute
8 privilege; and (ii) the anticipated testimony contains
9 relevant, admissible, and material evidence that is
10 not available through other witnesses or evidence, the
11 court shall issue a subpoena requiring the advocate to
12 appear to testify at an in camera hearing. The
13 prosecuting attorney and the victim shall have 15 days
14 to seek appellate review before the advocate is
15 required to testify at an ex parte in camera
16 proceeding.

17 The prosecuting attorney, the victim, and the
18 advocate's attorney shall be allowed to be present at
19 the ex parte in camera proceeding. If, after
20 conducting the ex parte in camera hearing, the court
21 determines that due process requires any testimony
22 regarding confidential or privileged information or
23 communications, the court shall provide to the
24 prosecuting attorney, the victim, and the advocate's
25 attorney a written memorandum on the substance of the
26 advocate's testimony. The prosecuting attorney, the

1 victim, and the advocate's attorney shall have 15 days
2 to seek appellate review before a subpoena may be
3 issued for the advocate to testify at trial. The
4 presence of the prosecuting attorney at the ex parte
5 in camera proceeding does not make the substance of
6 the advocate's testimony that the court has ruled
7 inadmissible subject to discovery.

8 (B) If a victim has asserted the right to have a
9 support person present at the court proceedings, the
10 victim shall provide the name of the person the victim
11 has chosen to be the victim's support person to the
12 prosecuting attorney, within 60 days of trial. The
13 prosecuting attorney shall provide the name to the
14 defendant. If the defendant intends to call the
15 support person as a witness at trial, the defendant
16 must seek permission of the court before a subpoena is
17 issued. The defendant must file a written motion at
18 least 45 days prior to trial that sets forth
19 specifically the issues on which the support person
20 will testify and an offer of proof regarding: (i) the
21 content of the anticipated testimony of the support
22 person; and (ii) the relevance, admissibility, and
23 materiality of the anticipated testimony.

24 If the prosecuting attorney intends to call the
25 support person as a witness during the State's
26 case-in-chief, the prosecuting attorney shall inform

1 the court of this intent in the response to the
2 defendant's written motion. The victim may choose a
3 different person to be the victim's support person.
4 The court may allow the defendant to inquire about
5 matters outside the scope of the direct examination
6 during cross-examination. If the court allows the
7 defendant to do so, the support person shall be
8 allowed to remain in the courtroom after the support
9 person has testified. A defendant who fails to
10 question the support person about matters outside the
11 scope of direct examination during the State's
12 case-in-chief waives the right to challenge the
13 presence of the support person on appeal. The court
14 shall allow the support person to testify if called as
15 a witness in the defendant's case-in-chief or the
16 State's rebuttal.

17 If the court does not allow the defendant to
18 inquire about matters outside the scope of the direct
19 examination, the support person shall be allowed to
20 remain in the courtroom after the support person has
21 been called by the defendant or the defendant has
22 rested. The court shall allow the support person to
23 testify in the State's rebuttal.

24 If the prosecuting attorney does not intend to
25 call the support person in the State's case-in-chief,
26 the court shall verify with the support person whether

1 the support person, if called as a witness, would
2 testify as set forth in the offer of proof. If the
3 court finds that the support person would testify as
4 set forth in the offer of proof, the court shall rule
5 on the relevance, materiality, and admissibility of
6 the anticipated testimony. If the court rules the
7 anticipated testimony is admissible, the court shall
8 issue the subpoena. The support person may remain in
9 the courtroom after the support person testifies and
10 shall be allowed to testify in rebuttal.

11 If the court excludes the victim's support person
12 during the State's case-in-chief, the victim shall be
13 allowed to choose another support person to be present
14 in court.

15 If the victim fails to designate a support person
16 within 60 days of trial and the defendant has
17 subpoenaed the support person to testify at trial, the
18 court may exclude the support person from the trial
19 until the support person testifies. If the court
20 excludes the support person the victim may choose
21 another person as a support person.

22 (9) Right to notice and hearing before disclosure of
23 confidential or privileged information or records.

24 (A) A defendant who seeks to subpoena testimony or
25 records of or concerning the victim that are
26 confidential or privileged by law must seek permission

1 of the court before the subpoena is issued. The
2 defendant must file a written motion and an offer of
3 proof regarding the relevance, admissibility and
4 materiality of the testimony or records. If the court
5 finds by a preponderance of the evidence that:

6 (i) the testimony or records are not protected
7 by an absolute privilege and

8 (ii) the testimony or records contain
9 relevant, admissible, and material evidence that
10 is not available through other witnesses or
11 evidence, the court shall issue a subpoena
12 requiring the witness to appear in camera or a
13 sealed copy of the records be delivered to the
14 court to be reviewed in camera. If, after
15 conducting an in camera review of the witness
16 statement or records, the court determines that
17 due process requires disclosure of any potential
18 testimony or any portion of the records, the court
19 shall provide copies of the records that it
20 intends to disclose to the prosecuting attorney
21 and the victim. The prosecuting attorney and the
22 victim shall have 30 days to seek appellate review
23 before the records are disclosed to the defendant,
24 used in any court proceeding, or disclosed to
25 anyone or in any way that would subject the
26 testimony or records to public review. The

1 disclosure of copies of any portion of the
2 testimony or records to the prosecuting attorney
3 under this Section does not make the records
4 subject to discovery or required to be provided to
5 the defendant.

6 (B) A prosecuting attorney who seeks to subpoena
7 information or records concerning the victim that are
8 confidential or privileged by law must first request
9 the written consent of the crime victim. If the victim
10 does not provide such written consent, including where
11 necessary the appropriate signed document required for
12 waiving privilege, the prosecuting attorney must serve
13 the subpoena at least 21 days prior to the date a
14 response or appearance is required to allow the
15 subject of the subpoena time to file a motion to quash
16 or request a hearing. The prosecuting attorney must
17 also send a written notice to the victim at least 21
18 days prior to the response date to allow the victim to
19 file a motion or request a hearing. The notice to the
20 victim shall inform the victim (i) that a subpoena has
21 been issued for confidential information or records
22 concerning the victim, (ii) that the victim has the
23 right to request a hearing prior to the response date
24 of the subpoena, and (iii) how to request the hearing.
25 The notice to the victim shall also include a copy of
26 the subpoena. If requested, a hearing regarding the

1 subpoena shall occur before information or records are
2 provided to the prosecuting attorney.

3 (9.5) Except as otherwise provided in Section 9.5 of
4 the Criminal Identification Act or Section 3-3013 of the
5 Counties Code, whenever a person's DNA profile is
6 collected due to the person being a victim of a crime, as
7 identified by law enforcement, that specific profile
8 collected in conjunction with that criminal investigation
9 shall not be entered into any DNA database. Nothing in
10 this paragraph (9.5) shall be interpreted to contradict
11 rules and regulations developed by the Federal Bureau of
12 Investigation relating to the National DNA Index System or
13 Combined DNA Index System.

14 (10) Right to notice of court proceedings. If the
15 victim is not present at a court proceeding in which a
16 right of the victim is at issue, the court shall ask the
17 prosecuting attorney whether the victim was notified of
18 the time, place, and expected purpose of the court
19 proceeding and that the victim had a right to be heard at
20 the court proceeding. If the court determines that timely
21 notice was not given or that the victim was not adequately
22 informed of the expected purpose and procedures ~~nature~~ of
23 the court proceeding, the court shall not rule on any
24 substantive issues, accept a plea, or impose a sentence
25 and shall continue the hearing for the time necessary to
26 notify the victim of the time, place, and expected purpose

1 and procedures ~~nature~~ of the court proceeding. The time
2 between court proceedings shall not be attributable to the
3 State under Section 103-5 of the Code of Criminal
4 Procedure of 1963.

5 (11) Right to timely disposition of the case. A victim
6 has the right to timely disposition of the case so as to
7 minimize the stress, cost, and inconvenience resulting
8 from the victim's involvement in the case. Before ruling
9 on a motion to continue trial or other court proceeding,
10 the court shall inquire into the circumstances for the
11 request for the delay and, if the victim has provided
12 written notice of the assertion of the right to a timely
13 disposition, and whether the victim objects to the delay.
14 If the victim objects, the prosecutor shall inform the
15 court of the victim's objections. If the prosecutor has
16 not conferred with the victim about the continuance, the
17 prosecutor shall inform the court of the attempts to
18 confer. If the court finds the attempts of the prosecutor
19 to confer with the victim were inadequate to protect the
20 victim's right to be heard, the court shall give the
21 prosecutor at least 3 but not more than 5 business days to
22 confer with the victim. In ruling on a motion to continue,
23 the court shall consider the reasons for the requested
24 continuance, the number and length of continuances that
25 have been granted, the victim's objections and procedures
26 to avoid further delays. If a continuance is granted over

1 the victim's objection, the court shall specify on the
2 record the reasons for the continuance and the procedures
3 that have been or will be taken to avoid further delays.

4 (12) Right to Restitution.

5 (A) If the victim has asserted the right to
6 restitution and the amount of restitution is known at
7 the time of sentencing, the court shall enter the
8 judgment of restitution at the time of sentencing.

9 (B) If the victim has asserted the right to
10 restitution and the amount of restitution is not known
11 at the time of sentencing, the prosecutor shall,
12 within 5 days after sentencing, notify the victim what
13 information and documentation related to restitution
14 is needed and that the information and documentation
15 must be provided to the prosecutor within 45 days
16 after sentencing. Failure to timely provide
17 information and documentation related to restitution
18 shall be deemed a waiver of the right to restitution.
19 The prosecutor shall file and serve within 60 days
20 after sentencing a proposed judgment for restitution
21 and a notice that includes information concerning the
22 identity of any victims or other persons seeking
23 restitution, whether any victim or other person
24 expressly declines restitution, the nature and amount
25 of any damages together with any supporting
26 documentation, a restitution amount recommendation,

1 and the names of any co-defendants and their case
2 numbers. Within 30 days after receipt of the proposed
3 judgment for restitution, the defendant shall file any
4 objection to the proposed judgment, a statement of
5 grounds for the objection, and a financial statement.
6 If the defendant does not file an objection, the court
7 may enter the judgment for restitution without further
8 proceedings. If the defendant files an objection and
9 either party requests a hearing, the court shall
10 schedule a hearing.

11 (12.5) When a person reports being a crime victim, as
12 defined in Section 3, the person shall have the right to be
13 treated with fairness and respect during the investigatory
14 process, including the right to be free from deception,
15 which is the knowing communication of false facts about
16 evidence.

17 (13) Access to presentence reports.

18 (A) The victim may request a copy of the
19 presentence report prepared under the Unified Code of
20 Corrections from the State's Attorney. The State's
21 Attorney shall redact the following information before
22 providing a copy of the report:

23 (i) the defendant's mental history and
24 condition;

25 (ii) any evaluation prepared under subsection

26 (b) or (b-5) of Section 5-3-2; and

1 (iii) the name, address, phone number, and
2 other personal information about any other victim.

3 (B) The State's Attorney or the defendant may
4 request the court redact other information in the
5 report that may endanger the safety of any person.

6 (C) The State's Attorney may orally disclose to
7 the victim any of the information that has been
8 redacted if there is a reasonable likelihood that the
9 information will be stated in court at the sentencing.

10 (D) The State's Attorney must advise the victim
11 that the victim must maintain the confidentiality of
12 the report and other information. Any dissemination of
13 the report or information that was not stated at a
14 court proceeding constitutes indirect criminal
15 contempt of court.

16 (14) Appellate relief. If the trial court denies the
17 relief requested, the victim, the victim's attorney, or
18 the prosecuting attorney may file an appeal within 30 days
19 of the trial court's ruling. The trial or appellate court
20 may stay the court proceedings if the court finds that a
21 stay would not violate a constitutional right of the
22 defendant. If the appellate court denies the relief
23 sought, the reasons for the denial shall be clearly stated
24 in a written opinion. In any appeal in a criminal case, the
25 State may assert as error the court's denial of any crime
26 victim's right in the proceeding to which the appeal

1 relates.

2 (15) Limitation on appellate relief. In no case shall
3 an appellate court provide a new trial to remedy the
4 violation of a victim's right.

5 (16) The right to be reasonably protected from the
6 accused throughout the criminal justice process and the
7 right to have the safety of the victim and the victim's
8 family considered in determining whether to release the
9 defendant, and setting conditions of release after arrest
10 and conviction. A victim of domestic violence, a sexual
11 offense, or stalking may request the entry of a protective
12 order under Article 112A of the Code of Criminal Procedure
13 of 1963.

14 (d) Procedures after the imposition of sentence.

15 (1) The Prisoner Review Board shall inform a victim or
16 any other concerned citizen, upon written request, of the
17 prisoner's release on parole, mandatory supervised
18 release, electronic detention, work release, international
19 transfer or exchange, or by the custodian, other than the
20 Department of Juvenile Justice, of the discharge of any
21 individual who was adjudicated a delinquent for a crime
22 from State custody and by the sheriff of the appropriate
23 county of any such person's final discharge from county
24 custody. The Prisoner Review Board, upon written request,
25 shall provide to a victim or any other concerned citizen a
26 recent photograph of any person convicted of a felony,

1 upon his or her release from custody. The Prisoner Review
2 Board, upon written request, shall inform a victim or any
3 other concerned citizen when feasible at least 7 days
4 prior to the prisoner's release on furlough of the times
5 and dates of such furlough. Upon written request by the
6 victim or any other concerned citizen, the State's
7 Attorney shall notify the person once of the times and
8 dates of release of a prisoner sentenced to periodic
9 imprisonment. Notification shall be based on the most
10 recent information as to the victim's or other concerned
11 citizen's residence or other location available to the
12 notifying authority.

13 (1.5) The Prisoner Review Board shall notify a victim
14 of a prisoner's pardon, commutation of sentence, release
15 on furlough, or early release from State custody, if the
16 victim has previously requested that notification. The
17 notification shall be based upon the most recent
18 information available to the Board as to the victim's
19 residence or other location. The notification requirement
20 under this paragraph (1.5) is in addition to any
21 notification requirements under any other statewide victim
22 notification systems. The Board shall document its efforts
23 to provide the required notification if a victim alleges
24 lack of notification under this paragraph (1.5).

25 (2) When the defendant has been committed to the
26 Department of Human Services pursuant to Section 5-2-4 or

1 any other provision of the Unified Code of Corrections,
2 the victim may request to be notified by the releasing
3 authority of the approval by the court of an on-grounds
4 pass, a supervised off-grounds pass, an unsupervised
5 off-grounds pass, or conditional release; the release on
6 an off-grounds pass; the return from an off-grounds pass;
7 transfer to another facility; conditional release; escape;
8 death; or final discharge from State custody. The
9 Department of Human Services shall establish and maintain
10 a statewide telephone number to be used by victims to make
11 notification requests under these provisions and shall
12 publicize this telephone number on its website and to the
13 State's Attorney of each county.

14 (3) In the event of an escape from State custody, the
15 Department of Corrections or the Department of Juvenile
16 Justice immediately shall notify the Prisoner Review Board
17 of the escape and the Prisoner Review Board shall notify
18 the victim. The notification shall be based upon the most
19 recent information as to the victim's residence or other
20 location available to the Board. When no such information
21 is available, the Board shall make all reasonable efforts
22 to obtain the information and make the notification. When
23 the escapee is apprehended, the Department of Corrections
24 or the Department of Juvenile Justice immediately shall
25 notify the Prisoner Review Board and the Board shall
26 notify the victim. The notification requirement under this

1 paragraph (3) is in addition to any notification
2 requirements under any other statewide victim notification
3 systems. The Board shall document its efforts to provide
4 the required notification if a victim alleges lack of
5 notification under this paragraph (3).

6 (4) The victim of the crime for which the prisoner has
7 been sentenced has the right to register with the Prisoner
8 Review Board's victim registry. Victims registered with
9 the Board shall receive reasonable written notice not less
10 than 30 days prior to the parole hearing or target
11 aftercare release date. The victim has the right to submit
12 a victim statement for consideration by the Prisoner
13 Review Board or the Department of Juvenile Justice in
14 writing, on film, videotape, or other electronic means, or
15 in the form of a recording prior to the parole hearing or
16 target aftercare release date, or in person at the parole
17 hearing or aftercare release protest hearing, or by
18 calling the toll-free number established in subsection (f)
19 of this Section. The victim shall be notified within 7
20 days after the prisoner has been granted parole or
21 aftercare release and shall be informed of the right to
22 inspect the registry of parole decisions, established
23 under subsection (g) of Section 3-3-5 of the Unified Code
24 of Corrections. The provisions of this paragraph (4) are
25 subject to the Open Parole Hearings Act. Victim statements
26 provided to the Board shall be confidential and

1 privileged, including any statements received prior to
2 January 1, 2020 (the effective date of Public Act
3 101-288), except if the statement was an oral statement
4 made by the victim at a hearing open to the public.

5 (4-1) The crime victim, including any person who has
6 had a final, plenary, non-emergency, or emergency
7 protective order granted against the petitioner or parole
8 candidate under Article 112A of the Code of Criminal
9 Procedure of 1963, the Illinois Domestic Violence Act of
10 1986, the Stalking No Contact Order Act, or the Civil No
11 Contact Order Act, has the right to submit a victim
12 statement, in support or opposition, for consideration by
13 the Prisoner Review Board or the Department of Juvenile
14 Justice prior to or at a hearing to determine the
15 conditions of mandatory supervised release of a person
16 sentenced to a determinate sentence or at a hearing on
17 revocation of mandatory supervised release of a person
18 sentenced to a determinate sentence. A victim statement
19 may be submitted in writing, on film, videotape, or other
20 electronic means, or in the form of a recording, or orally
21 at a hearing, or by calling the toll-free number
22 established in subsection (f) of this Section. Victim
23 statements provided to the Board shall be confidential and
24 privileged, including any statements received prior to
25 January 1, 2020 (the effective date of Public Act
26 101-288), except if the statement was an oral statement

1 made by the victim at a hearing open to the public.

2 (4-2) The crime victim, including any person who has
3 had a final, plenary, non-emergency, or emergency
4 protective order granted against the petitioner or parole
5 candidate under Article 112A of the Code of Criminal
6 Procedure of 1963, the Illinois Domestic Violence Act of
7 1986, the Stalking No Contact Order Act, or the Civil No
8 Contact Order Act, has the right to submit a victim
9 statement, in support or opposition, to the Prisoner
10 Review Board for consideration at an executive clemency
11 hearing as provided in Section 3-3-13 of the Unified Code
12 of Corrections. A victim statement may be submitted in
13 writing, on film, videotape, or other electronic means, or
14 in the form of a recording prior to a hearing, or orally at
15 a hearing, or by calling the toll-free number established
16 in subsection (f) of this Section. Victim statements
17 provided to the Board shall be confidential and
18 privileged, including any statements received prior to
19 January 1, 2020 (the effective date of Public Act
20 101-288), except if the statement was an oral statement
21 made by the victim at a hearing open to the public.

22 (5) If a statement is presented under Section 6, the
23 Prisoner Review Board or Department of Juvenile Justice
24 shall inform the victim of any order of discharge pursuant
25 to Section 3-2.5-85 or 3-3-8 of the Unified Code of
26 Corrections.

1 (6) At the written or oral request of the victim of the
2 crime for which the prisoner was sentenced or the State's
3 Attorney of the county where the person seeking parole or
4 aftercare release was prosecuted, the Prisoner Review
5 Board or Department of Juvenile Justice shall notify the
6 victim and the State's Attorney of the county where the
7 person seeking parole or aftercare release was prosecuted
8 of the death of the prisoner if the prisoner died while on
9 parole or aftercare release or mandatory supervised
10 release.

11 (7) When a defendant who has been committed to the
12 Department of Corrections, the Department of Juvenile
13 Justice, or the Department of Human Services is released
14 or discharged and subsequently committed to the Department
15 of Human Services as a sexually violent person and the
16 victim had requested to be notified by the releasing
17 authority of the defendant's discharge, conditional
18 release, death, or escape from State custody, the
19 releasing authority shall provide to the Department of
20 Human Services such information that would allow the
21 Department of Human Services to contact the victim.

22 (8) When a defendant has been convicted of a sex
23 offense as defined in Section 2 of the Sex Offender
24 Registration Act and has been sentenced to the Department
25 of Corrections or the Department of Juvenile Justice, the
26 Prisoner Review Board or the Department of Juvenile

1 Justice shall notify the victim of the sex offense of the
2 prisoner's eligibility for release on parole, aftercare
3 release, mandatory supervised release, electronic
4 detention, work release, international transfer or
5 exchange, or by the custodian of the discharge of any
6 individual who was adjudicated a delinquent for a sex
7 offense from State custody and by the sheriff of the
8 appropriate county of any such person's final discharge
9 from county custody. The notification shall be made to the
10 victim at least 30 days, whenever possible, before release
11 of the sex offender.

12 (e) (Blank). ~~The officials named in this Section may~~
13 ~~satisfy some or all of their obligations to provide notices~~
14 ~~and other information through participation in a statewide~~
15 ~~victim and witness notification system established by the~~
16 ~~Attorney General under Section 8.5 of this Act.~~

17 (f) The Prisoner Review Board shall establish a toll-free
18 number that may be accessed by the crime victim to present a
19 victim statement to the Board in accordance with paragraphs
20 (4), (4-1), and (4-2) of subsection (d). The Prisoner Review
21 Board shall provide registered and identified victims with the
22 contact information for the State victim assistance hotline as
23 part of its process to obtain a victim witness statement and as
24 part of its notification.

25 (g) The Prisoner Review Board shall publish on its
26 official website, and provide to registered victims,

1 procedural information on how to submit victim statements.
2 (Source: P.A. 104-11, eff. 6-20-25; 104-173, eff. 1-1-26;
3 revised 11-21-25.)

4 Section 20. The Address Confidentiality for Victims of
5 Domestic Violence, Sexual Assault, Human Trafficking, or
6 Stalking Act is amended by changing Sections 10, 15, 20, 25,
7 30, 35, and 40 as follows:

8 (750 ILCS 61/10)

9 Sec. 10. Definitions. In this Act, unless the context
10 otherwise requires:

11 "Confidential address" means the Illinois residential
12 street address of an individual that is not to be disclosed.

13 "Substitute address" means the address assigned to a
14 program participant by the Address Confidentiality Program.

15 ~~"Address" means a residential street address, school~~
16 ~~address, or work address of an individual, as specified on the~~
17 ~~individual's application to be a program participant under~~
18 ~~this Act.~~

19 "Program participant" means a person certified as a
20 program participant under this Act.

21 "Household member" means an individual residing at the
22 same Illinois residential street address as a program
23 participant who is the victim of domestic violence, sexual
24 assault, human trafficking, or stalking.

1 "Eligible person" means a person 18 years of age or older
2 who is the victim of domestic violence, sexual assault, human
3 trafficking, or stalking; the parent or guardian of a minor or
4 disabled adult who is a victim of domestic violence, sexual
5 assault, human trafficking, or stalking; or a household member
6 of a victim of domestic violence, sexual assault, human
7 trafficking, or stalking.

8 "Domestic violence" has the same meaning as in the
9 Illinois Domestic Violence Act of 1986 and includes a threat
10 of domestic violence against an individual in a domestic
11 situation, regardless of whether the domestic violence or
12 threat has been reported to law enforcement officers.

13 "Human trafficking" means the practices set forth in
14 subsection (b), (c), or (d) of Section 10-9 of the Criminal
15 Code of 2012, regardless of whether the victim has reported
16 the trafficking to law enforcement officers.

17 "Sexual assault" has the same meaning as sexual conduct or
18 sexual penetration as defined in the Civil No Contact Order
19 Act. "Sexual assault" includes a threat of sexual assault,
20 regardless of whether the sexual assault or threat has been
21 reported to law enforcement officers.

22 "Stalking" has the same meaning as in the Stalking No
23 Contact Order Act. "Stalking" includes a threat of stalking,
24 regardless of whether the stalking or threat has been reported
25 to law enforcement officers.

26 (Source: P.A. 101-270, eff. 1-1-21; 102-292, eff. 1-1-22.)

1 (750 ILCS 61/15)

2 Sec. 15. Address confidentiality program; application;
3 certification.

4 (a) An eligible applicant, as defined by this Section, ~~An~~
5 ~~adult person, a parent or guardian acting on behalf of a minor,~~
6 ~~or a guardian acting on behalf of a person with a disability,~~
7 ~~as defined in Article 11a of the Probate Act of 1975,~~ may apply
8 to the Attorney General to have an address designated by the
9 Attorney General serve as the person's address or the address
10 of the minor or person with a disability. The Attorney General
11 shall approve an application if it is filed in the manner and
12 on the form prescribed by him or her and if it contains:

13 (1) a sworn statement by the applicant that the
14 applicant has good reason to believe (i) that the
15 applicant, or the minor or person with a disability on
16 whose behalf the application is made, is a victim of
17 domestic violence, sexual assault, human trafficking, or
18 stalking; or and (ii) the applicant is a household member
19 of a program participant; ~~that the applicant fears for his~~
20 ~~or her safety or his or her children's safety, or the~~
21 ~~safety of the minor or person with a disability on whose~~
22 ~~behalf the application is made;~~

23 (1.3) a sworn statement that the applicant fears for
24 the applicant's safety or the applicant's children's
25 safety, or the safety of the minor or person with a

1 disability on whose behalf the application is made, or the
2 safety of a household member;

3 (1.5) documentation supporting the statements made
4 under subsections (1) and (1.3);

5 (2) a designation of the Attorney General as agent for
6 purposes of service of process and receipt of mail;

7 (3) an Illinois ~~a State~~ mailing address where the
8 applicant can be contacted by the Attorney General, and
9 the phone number or numbers where the applicant can be
10 called by the Attorney General;

11 (3.5) proof of an Illinois ~~a State~~ residential street
12 address where the applicant resides or a signed statement
13 affirming the applicant's status as homeless in Illinois
14 indicating that the applicant will be moving to an
15 Illinois residential street address within 30 days ~~this~~
16 ~~State;~~

17 (4) the new Illinois residential street address
18 "confidential address" ~~address or addresses~~ that the
19 applicant requests not be disclosed for the reason that
20 disclosure will increase the risk of domestic violence,
21 sexual assault, human trafficking, or stalking; and

22 (5) the signature of the applicant and of any
23 individual or representative of any office designated in
24 writing under Section 40 of this Act who assisted in the
25 preparation of the application, and the date on which the
26 applicant signed the application.

1 (a-1) For applicants applying on behalf of a minor or
2 person with a disability, the Attorney General may request
3 proof of guardianship, as defined in Article 11a of the
4 Probate Act of 1975, or proof of legal custody, as defined in
5 Section 10-20.12b of the School Code, before certifying a
6 minor or person with a disability as a program participant.

7 (b) Applications shall be filed with the office of the
8 Attorney General.

9 (c) Upon filing a properly completed application, the
10 Attorney General shall certify the applicant as a program
11 participant. Applicants shall be certified for 4 years
12 following the date of filing unless the certification is
13 withdrawn or invalidated before that date. A participant whose
14 certification has not been withdrawn or cancelled may reapply
15 to the Address Confidentiality Program to renew the
16 applicant's certification for an additional 4 years. The
17 ~~Attorney General shall by rule establish a renewal procedure.~~

18 (d) A person who falsely attests in an application that
19 disclosure of the applicant's confidential address would
20 endanger the applicant's safety or the safety of the
21 applicant's children or the minor or disabled ~~incapacitated~~
22 person on whose behalf the application is made, or the safety
23 of a household member, or who knowingly provides false or
24 incorrect information upon making an application, is guilty of
25 a Class 3 felony.

26 (Source: P.A. 101-270, eff. 1-1-21; 102-292, eff. 1-1-22.)

1 (750 ILCS 61/20)

2 Sec. 20. Certification cancellation.

3 (a) If the program participant obtains a legal change of
4 identity to a new, unassociated name ~~a name change~~, the
5 applicant loses ~~he or she loses~~ certification as a program
6 participant.

7 (b) The Attorney General may cancel a program
8 participant's certification if:

9 (1) a program participant fails to provide the
10 Attorney General with 7 days' notice before ~~there is~~ a
11 change in the confidential residential street address,
12 phone number, or legal name, from the one listed on the
13 application; ~~unless the program participant provides the~~
14 ~~Attorney General within 7 days notice before the change of~~
15 ~~address.~~

16 (2) mail forwarded by the Attorney General to the
17 program participant's confidential address is returned as
18 nondeliverable;

19 (3) a program participant fails to file a new
20 application within 30 days after becoming 18 years of age;

21 (4) a program participant is unable or unwilling to
22 maintain the confidentiality of the program participant's
23 confidential address;

24 (5) a program participant fails to respond to the
25 program's request for verification of the participant's

1 residential address within 7 days; or
2 (6) a program participant is no longer an eligible
3 person as defined in Section 10.

4 (c) A person whose certification is cancelled for any
5 reason listed in subsections (a) or (b) may reapply to the
6 program at any time after the person's certification has been
7 cancelled. ~~The Attorney General may cancel certification of a~~
8 ~~program participant if mail forwarded by the Attorney General~~
9 ~~to the program participant's address is returned as~~
10 ~~nondeliverable.~~

11 (d) The Attorney General shall cancel certification of a
12 program participant who applies using false information.

13 (e) If a program participant loses certification or the
14 certification is cancelled, mail addressed to the former
15 program participant must be returned to the sender.

16 (Source: P.A. 91-494, eff. 1-1-00.)

17 (750 ILCS 61/25)

18 Sec. 25. Agency use of designated address.

19 (a) A program participant may request that State and local
20 agencies use the substitute address designated by the Attorney
21 General as the applicant's ~~his or her~~ address. When creating a
22 new public record, State and local agencies shall accept the
23 address designated by the Attorney General as a program
24 participant's substitute address, unless the Attorney General
25 has determined that:

1 (1) the agency has a bona fide statutory or
2 administrative requirement for the use of the address that
3 would otherwise be confidential under this Act; and

4 (2) this address will be used only for those statutory
5 and administrative purposes.

6 (b) A program participant may use the substitute address
7 ~~address designated by the Attorney General~~ as the applicant's
8 ~~his or her~~ work address.

9 (c) The office of the Attorney General shall forward only
10 ~~all~~ first class mail to the appropriate program participants
11 within 7 business days. Mail for cancelled participants or
12 mail that cannot be forwarded within 7 business days shall be
13 returned to sender. Program participants who withdraw from the
14 program may provide a new mailing address and request to have
15 mail forwarded for 30 days following their withdrawal.

16 (Source: P.A. 91-494, eff. 1-1-00.)

17 (750 ILCS 61/30)

18 Sec. 30. Voting by program participant; use of designated
19 address by election authority.

20 (a) A program participant who is otherwise qualified to
21 vote may register to vote by submitting an Illinois Address
22 Confidentiality Program Voter Registration Application created
23 by the State Board of Elections to the appropriate election
24 authority. The State Board of Elections shall adopt rules to
25 ensure the integrity of the voting process and the

1 confidentiality of the program participant. Upon request, the
2 election authority shall transmit the vote by mail ballot to
3 the program participant at the address designated by the
4 participant in the applicant's ~~his or her~~ application. Neither
5 the name nor the address of a program participant shall be
6 included in any list of registered voters available to the
7 public.

8 (b) The election authority may not make the participant's
9 address contained in voter registration records available for
10 public inspection or copying except under the following
11 circumstances:

12 (1) if requested by a law enforcement agency, to the
13 law enforcement agency; and

14 (2) if directed by a court order, to a person
15 identified in the order.

16 (Source: P.A. 102-292, eff. 1-1-22.)

17 (750 ILCS 61/35)

18 Sec. 35. Disclosure of address prohibited; exceptions. The
19 Attorney General may not make a program participant's
20 confidential address, ~~other than the address designated by the~~
21 ~~Attorney General,~~ available for inspection or copying, except
22 under the following circumstances:

23 (a) if requested by a law enforcement agency, to the
24 law enforcement agency;

25 (b) if directed by a court order, to a person

1 identified in the order; and

2 (c) (blank).

3 A program participant's address and phone number on file
4 with the Attorney General are not subject to disclosure under
5 the Freedom of Information Act.

6 (Source: P.A. 102-292, eff. 1-1-22.)

7 (750 ILCS 61/40)

8 Sec. 40. Assistance for program applicants. The Attorney
9 General may ~~shall~~ designate State and local agencies and
10 nonprofit agencies that provide counseling and shelter
11 services to victims of domestic violence, sexual assault,
12 human trafficking, or stalking to assist persons applying to
13 be program participants. Any assistance and counseling
14 rendered by the office of the Attorney General or its
15 designees to applicants shall in no way be construed as legal
16 advice.

17 (Source: P.A. 101-270, eff. 1-1-21; 102-292, eff. 1-1-22.)

1 INDEX

2 Statutes amended in order of appearance

3 410 ILCS 70/1a from Ch. 111 1/2, par. 87-1a

4 410 ILCS 70/2-2 new

5 410 ILCS 70/5 from Ch. 111 1/2, par. 87-5

6 705 ILCS 405/5-905

7 725 ILCS 120/3 from Ch. 38, par. 1403

8 725 ILCS 120/4

9 725 ILCS 120/4.5

10 750 ILCS 61/10

11 750 ILCS 61/15

12 750 ILCS 61/20

13 750 ILCS 61/25

14 750 ILCS 61/30

15 750 ILCS 61/35

16 750 ILCS 61/40