



Sen. Robert Peters

Filed: 2/28/2025

10400SB1300sam001

LRB104 08533 RLC 23162 a

1 AMENDMENT TO SENATE BILL 1300

2 AMENDMENT NO. _____. Amend Senate Bill 1300 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Homicide Victims' Families' Rights Act.

6 Section 5. Definitions. In this Act:

7 "Agency" means a law enforcement entity of this State or a
8 unit of local government that is vested by law or ordinance
9 with the duty to maintain public order and to enforce criminal
10 laws or ordinances.

11 "Applicable agency" means a law enforcement agency that is
12 investigating or has investigated the murder of the victim.

13 "Open unresolved murder" means any criminal activity in
14 which death occurred more than 3 years prior to the date of the
15 application under subsection (a) of Section 10, for which all
16 probative investigative leads have been exhausted, and for

1 which no likely perpetrator has been identified.

2 "Designated person" means (i) an immediate family member
3 or (ii) a similarly situated person as the Attorney General
4 shall by rule define.

5 "Immediate family member" means a parent, parent-in-law,
6 grandparent, grandparent-in-law, sibling, spouse, child,
7 stepchild, foster parent, or guardian of a murder victim.

8 "Victim" means the victim of a murder.

9 Section 10. Case file review.

10 (a) An applicable agency shall review the case file
11 regarding an open unresolved murder upon written application
12 by a designated person to determine if a full reinvestigation
13 would result in probative investigative leads.

14 (b) The case file review shall include, but is not limited
15 to:

16 (1) an analysis of what investigative steps or
17 follow-up steps may have been missed in the initial
18 investigation;

19 (2) an assessment of whether witnesses should be
20 interviewed or re-interviewed;

21 (3) an examination of physical evidence to see if all
22 appropriate forensic testing and analysis was performed in
23 the first instance or if additional testing might produce
24 information relevant to the investigation; and

25 (4) a modernization of the file to bring it up to

1 current investigative standards to the extent it would
2 help develop probative leads.

3 (c) The person or persons performing the review required
4 by subsection (a) shall not have previously investigated the
5 murder. This subsection (c) does not apply to law enforcement
6 agencies located in counties or municipalities that have less
7 than 35,000 inhabitants.

8 (d) The applicable agency shall confirm in writing receipt
9 of a request made under subsection (a).

10 (e) Only one case review shall be undertaken at any one
11 time with respect to the same open unresolved murder victim.

12 (f) No later than 6 months after the receipt of the written
13 application submitted pursuant to subsection (a), the
14 applicable agency shall conclude its case file review and
15 reach a conclusion whether a full reinvestigation under
16 Section 25 is warranted.

17 (g) The applicable agency may extend the limit in
18 subsection (f) for periods not to exceed 6 months if the agency
19 makes a finding that the number of case files to be reviewed
20 make it impracticable to comply with said limit without
21 unreasonably taking resources from other law enforcement
22 activities.

23 For cases for which the time limit in subsection (f) is
24 extended, the applicable agency shall provide notice and an
25 explanation of its reasoning to the designated person who
26 filed the written application under this Section.

1 Section 15. Application. Each agency shall develop a
2 written application to be used for designated persons to
3 request a case file review under Section 10.

4 Section 20. Notice. Each agency shall provide notice of
5 the rights under this Act to designated persons as soon as is
6 practicable after being made aware of a murder.

7 Section 25. Full reinvestigation.

8 (a) The applicable agency shall conduct a full
9 reinvestigation of the open unresolved murder if the review of
10 the case file required by Section 10 concludes that a full
11 reinvestigation of the open unresolved murder would result in
12 probative investigative leads.

13 (b) A full reinvestigation shall include analyzing all
14 evidence regarding the open unresolved murder at issue for the
15 purpose of developing probative investigative leads as to the
16 perpetrator.

17 (c) The person or persons performing the full
18 reinvestigation required by subsection (a) shall not have
19 previously investigated the murder, except for the case file
20 review pursuant to Section 10.

21 (d) Only one full reinvestigation shall be undertaken at
22 any one time with respect to the same open unresolved murder
23 victim.

1 Section 30. Consultation and updates.

2 (a) The applicable agency shall consult with the
3 designated person who filed the written application under
4 Section 10 and provide him or her with periodic updates during
5 the case file review and full reinvestigation.

6 (b) The applicable agency shall meet with the designated
7 person and discuss the evidence to explain to the designated
8 person who filed the written application under Section 10 its
9 decision whether to engage in the full reinvestigation
10 provided for under Section 25 at the conclusion of the case
11 file review.

12 Section 35. Subsequent reviews.

13 (a) If a case file review is completed and a conclusion is
14 reached not to conduct a full reinvestigation, no additional
15 case file review shall be undertaken for a period of 5 years,
16 unless there is newly discovered, materially significant
17 evidence.

18 (b) If a full reinvestigation is done and a suspect is not
19 identified at its conclusion, no additional case file review
20 or full reinvestigation shall be undertaken for a period of 5
21 years, unless there is newly discovered, materially
22 significant new evidence.

23 Section 36. Family liaison officers.

1 (a) Each agency shall employ or designate a minimum number
2 of family liaison officers proportionate to the average number
3 of homicides in the agency's jurisdiction within the previous
4 5 years of the date of employment with the maximum ratio of 40
5 homicides per each family liaison officer employed or
6 designated. Each agency may establish a lower ratio for hiring
7 or designating of family liaison officers.

8 (b) The primary purpose of a family liaison officer is
9 that of an investigator. A family liaison officer's role is to
10 gather evidence and information from the family to contribute
11 to the investigation and preserve its integrity. The family
12 liaison officer shall also provide support and information, in
13 a sensitive and compassionate manner, securing confidence and
14 trust of families of victims of crime (primarily homicide),
15 road fatality, mass disaster, or other critical incident,
16 ensuring family members are given timely information in
17 accordance with the needs of the investigation.

18 (c) The family liaison officer shall:

19 (1) establish and maintain a supportive and ethical
20 relationship with the family, building trust, in line with
21 local and national guidance to gathering information and
22 evidence;

23 (2) act as a single point of contact between families
24 and investigation teams when a homicide occurs to enable
25 information to be shared which may assist in the
26 investigation;

1 (3) collect best evidence to enable identification of
2 a reported missing person (high risk of criminality or
3 vulnerability) or identify the deceased, and consider
4 potential future viewing requirements and postmortem with
5 the family to further the investigation;

6 (4) provide information regarding additional services
7 available for families, including providing information
8 about open unresolved murders to support agencies, and
9 explain criminal justice and coroner's procedures, so that
10 they can access all available services and support;

11 (5) contact the family at least once every 30 days for
12 the first 6 months the case is open then once per quarter
13 until the case becomes inactive. The family liaison
14 officer shall work closely with the lead investigator to
15 obtain substantive updates on the case prior to contacting
16 the family. The lead investigator has discretion over any
17 information shared with the family and shall communicate
18 with the family liaison accordingly. If the family liaison
19 officer is contacted by the family regarding an open case
20 at any time, the family liaison officer shall return the
21 call within 5 business days with all relevant information
22 regarding a police investigation, in line with the
23 strategy of the chief investigating officer or lead
24 investigator so that they are informed of progress;

25 (6) obtain victimology and family personal statements
26 and any other material to enable the gathering of evidence

1 and to support the investigative process;

2 (7) document any requests or complaints, or both, made
3 by the family, to be forwarded for the consideration of
4 the chief investigating officer or lead investigator;

5 (8) record all contact with the family to ensure
6 compliance with this Act, the Criminal Identification Act,
7 the Illinois Criminal Justice Information Act, the Missing
8 Children Records Act, the Juvenile Court Act of 1987, the
9 Code of Criminal Procedure of 1963, the Rights of Crime
10 Victims and Witnesses Act, and the Police and Community
11 Relations Improvement Act to maintain the integrity of the
12 investigation;

13 (9) be the liaison between families and the coroner or
14 medical examiner and chief investigating officer or lead
15 investigator in relation to the Illinois Anatomical Gift
16 Act; and

17 (10) track the case files required in Section 10, the
18 date of review of the case file, confirm the receipt of the
19 request of the case file, provide notice to the family if
20 an extension of review has been made, and consult with the
21 family on the investigation of the case.

22 (d) A family liaison officer may not be assigned to work
23 patrol or attached to other special units while designated as
24 a family liaison officer.

25 (e) The training of all family liaison officers shall
26 include instruction on victim-centered, trauma-informed

1 investigation as established by the Illinois Law Enforcement
2 Training Standards Board.

3 (f) Except in emergencies or other exigent circumstances,
4 a family liaison officer shall exclusively investigate
5 homicide cases.

6 Section 40. Data collection; annual report.

7 (a) Beginning 3 years after the effective date of this
8 Act, the Illinois Criminal Justice Information Authority
9 annually shall publish statistics regarding the number of open
10 unresolved murders. The statistics published under this
11 subsection at a minimum shall be broken down by the degree of
12 murder, the type of weapon used in the murder, the location of
13 the murder and by agency, in addition to the criteria set forth
14 in subsection (b).

15 (b) Each applicable agency annually shall submit data to
16 the Illinois Criminal Justice Information Authority regarding
17 the open unresolved murders within its jurisdiction,
18 including, but not limited to, the number of requests received
19 under subsection (a) of Section 10, the number of extensions
20 granted and an explanation of reasons provided under
21 subsection (g) of Section 10, the number of full
22 reinvestigations initiated and closed under Section 25, and
23 the number of suspects identified, arrested, charged, and
24 convicted for each open unresolved murder investigated by the
25 applicable agency under this Act during the year reported. The

1 data shall also include what cases are being solved and which
2 cases are not being solved, identifying the age, race, and
3 ethnicity of the victim whose case is being solved and not
4 being solved and the cases that are being solved by
5 exceptional means.

6 (c) The Illinois Criminal Justice Information Authority
7 shall submit an annual report to the General Assembly and the
8 Governor compiling the information received by the Authority
9 under subsection (b).

10 Section 45. Procedures to promote compliance.

11 (a) Not later than one year after the effective date of
12 this Act, the head of each agency shall adopt rules to enforce
13 the rights of designated persons and to ensure compliance by
14 responsible officials with the obligations described in this
15 Act.

16 (b) The rules adopted under subsection (a) shall:

17 (1) designate an administrative authority within the
18 agency to receive and investigate complaints relating to
19 the provision or violation of the rights of designated
20 persons;

21 (2) require a course of training for employees of the
22 agency regarding the rights provided under this Act;

23 (3) contain disciplinary sanctions, including
24 suspension or termination from employment, for employees
25 of the agency who willfully or wantonly fail to comply

1 with this Act;

2 (4) establish a process for investigations into the
3 conduct of persons no longer employed by a law enforcement
4 agency when a complaint is filed and a process for
5 referrals for prosecution to the appropriate State's
6 Attorney; and

7 (5) provide that the head of the agency, or the
8 designee of the head of the agency, shall be the final
9 arbiter of the complaint, and that there shall be no
10 judicial review of the final decision of the head of the
11 agency by a complainant.

12 Section 50. Withholding information. Nothing in this Act
13 shall require an agency to provide information that would
14 endanger the safety of any person, unreasonably impede an
15 ongoing investigation, violate a court order, or violate legal
16 obligations regarding privacy.

17 Section 55. Multiple agencies.

18 (a) If there is more than one possible applicable agency,
19 each applicable agency shall coordinate its case file review
20 or full reinvestigation such that there is only one joint case
21 file review or full reinvestigation occurring at a time in
22 compliance with subsection (e) of Section 10 or subsection (d)
23 of Section 25, as applicable.

24 (b) If an immediate family member believes there was bias

1 demonstrated in the handling of the initial case, any case
2 file review, or any full reinvestigation by any of the
3 possible applicable agencies, the family member may
4 communicate that concern to the Attorney General. The Attorney
5 General shall review the allegations made by the immediate
6 family member to determine whether, in the interest of
7 justice, another law enforcement agency should conduct the
8 case file review or the full reinvestigation, as applicable.

9 Section 60. Applicability. This Act applies to murders
10 occurring on or after January 1, 1970.

11 Section 100. The Illinois Criminal Justice Information Act
12 is amended by changing Section 7 as follows:

13 (20 ILCS 3930/7) (from Ch. 38, par. 210-7)

14 Sec. 7. Powers and duties. The Authority shall have the
15 following powers, duties, and responsibilities:

16 (a) To develop and operate comprehensive information
17 systems for the improvement and coordination of all
18 aspects of law enforcement, prosecution, and corrections;

19 (b) To define, develop, evaluate, and correlate State
20 and local programs and projects associated with the
21 improvement of law enforcement and the administration of
22 criminal justice;

23 (c) To act as a central repository and clearing house

1 for federal, state, and local research studies, plans,
2 projects, proposals, and other information relating to all
3 aspects of criminal justice system improvement and to
4 encourage educational programs for citizen support of
5 State and local efforts to make such improvements;

6 (d) To undertake research studies to aid in
7 accomplishing its purposes;

8 (e) To monitor the operation of existing criminal
9 justice information systems in order to protect the
10 constitutional rights and privacy of individuals about
11 whom criminal history record information has been
12 collected;

13 (f) To provide an effective administrative forum for
14 the protection of the rights of individuals concerning
15 criminal history record information;

16 (g) To issue regulations, guidelines, and procedures
17 which ensure the privacy and security of criminal history
18 record information consistent with State and federal laws;

19 (h) To act as the sole administrative appeal body in
20 the State of Illinois to conduct hearings and make final
21 determinations concerning individual challenges to the
22 completeness and accuracy of criminal history record
23 information;

24 (i) To act as the sole, official, criminal justice
25 body in the State of Illinois to conduct annual and
26 periodic audits of the procedures, policies, and practices

1 of the State central repositories for criminal history
2 record information to verify compliance with federal and
3 state laws and regulations governing such information;

4 (j) To advise the Authority's Statistical Analysis
5 Center;

6 (k) To apply for, receive, establish priorities for,
7 allocate, disburse, and spend grants of funds that are
8 made available by and received on or after January 1, 1983
9 from private sources or from the United States pursuant to
10 the federal Crime Control Act of 1973, as amended, and
11 similar federal legislation, and to enter into agreements
12 with the United States government to further the purposes
13 of this Act, or as may be required as a condition of
14 obtaining federal funds;

15 (l) To receive, expend, and account for such funds of
16 the State of Illinois as may be made available to further
17 the purposes of this Act;

18 (m) To enter into contracts and to cooperate with
19 units of general local government or combinations of such
20 units, State agencies, and criminal justice system
21 agencies of other states for the purpose of carrying out
22 the duties of the Authority imposed by this Act or by the
23 federal Crime Control Act of 1973, as amended;

24 (n) To enter into contracts and cooperate with units
25 of general local government outside of Illinois, other
26 states' agencies, and private organizations outside of

1 Illinois to provide computer software or design that has
2 been developed for the Illinois criminal justice system,
3 or to participate in the cooperative development or design
4 of new software or systems to be used by the Illinois
5 criminal justice system;

6 (o) To establish general policies concerning criminal
7 justice information systems and to promulgate such rules,
8 regulations, and procedures as are necessary to the
9 operation of the Authority and to the uniform
10 consideration of appeals and audits;

11 (p) To advise and to make recommendations to the
12 Governor and the General Assembly on policies relating to
13 criminal justice information systems;

14 (q) To direct all other agencies under the
15 jurisdiction of the Governor to provide whatever
16 assistance and information the Authority may lawfully
17 require to carry out its functions;

18 (r) To exercise any other powers that are reasonable
19 and necessary to fulfill the responsibilities of the
20 Authority under this Act and to comply with the
21 requirements of applicable State or federal law or
22 regulation;

23 (s) To exercise the rights, powers, and duties which
24 have been vested in the Authority by the Illinois Uniform
25 Conviction Information Act;

26 (t) (Blank);

1 (u) To exercise the rights, powers, and duties vested
2 in the Authority by the Illinois Public Safety Agency
3 Network Act;

4 (v) To provide technical assistance in the form of
5 training to local governmental entities within Illinois
6 requesting such assistance for the purposes of procuring
7 grants for gang intervention and gang prevention programs
8 or other criminal justice programs from the United States
9 Department of Justice;

10 (w) To conduct strategic planning and provide
11 technical assistance to implement comprehensive trauma
12 recovery services for violent crime victims in underserved
13 communities with high levels of violent crime, with the
14 goal of providing a safe, community-based, culturally
15 competent environment in which to access services
16 necessary to facilitate recovery from the effects of
17 chronic and repeat exposure to trauma. Services may
18 include, but are not limited to, behavioral health
19 treatment, financial recovery, family support and
20 relocation assistance, and support in navigating the legal
21 system; ~~and~~

22 (x) To coordinate statewide violence prevention
23 efforts and assist in the implementation of trauma
24 recovery centers and analyze trauma recovery services. The
25 Authority shall develop, publish, and facilitate the
26 implementation of a 4-year statewide violence prevention

1 plan, which shall incorporate public health, public
2 safety, victim services, and trauma recovery centers and
3 services; and ~~and~~

4 (y) To compile and publish information regarding open
5 unresolved murders as provided in Section 40 of the
6 Homicide Victims' Families' Rights Act.

7 The requirement for reporting to the General Assembly
8 shall be satisfied by filing copies of the report as required
9 by Section 3.1 of the General Assembly Organization Act, and
10 filing such additional copies with the State Government Report
11 Distribution Center for the General Assembly as is required
12 under paragraph (t) of Section 7 of the State Library Act.

13 (Source: P.A. 103-798, eff. 1-1-25.)".