



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3933

Introduced 2/17/2023, by Rep. Janet Yang Rohr

SYNOPSIS AS INTRODUCED:

725 ILCS 115/3.5

Amends the Bill of Rights for Children. Provides that every juvenile for whom a delinquency petition has been filed and who is detained shall have access to mental health services and professionals. Provides that juvenile probation officers, employees of juvenile detention centers, employees of the Department of Juvenile Justice, and juvenile police officers shall receive specific training to address the mental health needs of juveniles. Provides that this training must include instruction in adolescent development, child trauma, adolescent behavioral health conditions, and specific techniques to be able to exercise trauma-informed mediation and de-escalation techniques. Provides that following the juvenile's release from a juvenile detention center or custody, the juvenile must receive counseling, therapy, and job training to aid in the juvenile's reentry into society. Provides that a parent, guardian, or legal custodian of a juvenile shall be informed of all mental health interventions and services utilized during the juvenile's detention and available after detention. Defines "juvenile" as a delinquent minor as defined in the Juvenile Court Act of 1987 or a person who is the subject of a delinquency petition filed under that Act.

LRB103 30515 RLC 56948 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 Bill of Rights for Children is amended by
5 changing Section 3.5 as follows:

6 (725 ILCS 115/3.5)

7 Sec. 3.5. Right to forensic interview with children's
8 advocacy center.

9 (a) In this Section:

10 "Juvenile" means a delinquent minor as defined in Section
11 5-105 of the Juvenile Court Act of 1987 or a person who is the
12 subject of a delinquency petition filed under that Act.

13 "Juvenile police officer" has the meaning ascribed to it
14 in Section 5-105 of the Juvenile Court Act of 1987.

15 (b) Every child reported to the Department of Children and
16 Family Services or law enforcement to be a victim of sexual
17 assault or sexual abuse whose case is accepted by either
18 agency for investigation has the right to have that child's
19 forensic interview conducted by a forensic interviewer from a
20 children's advocacy center accredited according to the
21 Children's Advocacy Center Act and serving the child's area or
22 jurisdiction where the incident(s) occurred, when such service
23 is accessible based on the CAC's available resources. This

1 right may be asserted by the child or the child's parent or
2 guardian informing the investigating personnel at the
3 Department of Children and Family Services or the law
4 enforcement agency that the parent or guardian wants the child
5 to have the child's interview conducted by the children's
6 advocacy center. Each local CAC protocol will outline a
7 process to address situations in which it is deemed not
8 possible for a forensic interview to occur, to ensure a
9 trauma-informed response with follow up services from the CAC.

10 (c) Every juvenile for whom a delinquency petition has
11 been filed and who is detained shall have access to mental
12 health services and professionals.

13 (d) Juvenile probation officers, employees of juvenile
14 detention centers, employees of the Department of Juvenile
15 Justice, and juvenile police officers shall receive specific
16 training to address the mental health needs of juveniles. This
17 training must include instruction in adolescent development,
18 child trauma, and adolescent behavioral health conditions as
19 well as specific techniques to be able to exercise
20 trauma-informed mediation and de-escalation techniques.

21 (e) Following a juvenile's release from a juvenile
22 detention center or custody, the juvenile must receive
23 counseling, therapy, and job training to aid in the juvenile's
24 reentry into society.

25 (f) A parent, guardian, or legal custodian of a juvenile
26 shall be informed of all mental health interventions and

1 services utilized during the juvenile's detention and
2 available after detention.

3 (Source: P.A. 102-477, eff. 1-1-22.)