



Sen. Iris Y. Martinez

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09900SB1813sam002

LRB099 08769 HEP 33013 a

1 AMENDMENT TO SENATE BILL 1813

2 AMENDMENT NO. _____. Amend Senate Bill 1813 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Torture Inquiry and Relief
5 Commission Act is amended by changing Sections 5, 35, and 70 as
6 follows:

7 (775 ILCS 40/5)

8 Sec. 5. Definitions. As used in this Act:

9 (1) "Claim of torture" means a claim on behalf of a living
10 person convicted of a felony in Illinois asserting that he was
11 tortured into confessing to the crime for which the person was
12 convicted and the tortured confession was used to obtain the
13 conviction and for which there is some credible evidence
14 related to allegations of torture ~~committed by Commander Jon~~
15 ~~Burge or any officer under the supervision of Jon Burge.~~

16 (2) "Commission" means the Illinois Torture Inquiry and

1 Relief Commission established by this Act.

2 (3) "Convicted person" means the person making a claim of
3 torture under this Act.

4 (4) "Director" means the Director of the Illinois Torture
5 Inquiry and Relief Commission.

6 (5) "Victim" means the victim of the crime, or if the
7 victim of the crime is deceased, the next of kin of the victim,
8 which shall be the parent, spouse, child, or sibling of the
9 deceased victim.

10 (Source: P.A. 96-223, eff. 8-10-09.)

11 (775 ILCS 40/35)

12 Sec. 35. Duties. The Commission shall have the following
13 duties and powers:

14 (1) To establish the criteria and screening process to
15 be used to determine which cases shall be accepted for
16 review.

17 (2) To conduct inquiries into claims of torture ~~with~~
18 ~~priority to be given to those cases in which the convicted~~
19 ~~person is currently incarcerated solely for the crime to~~
20 ~~which he or she claims torture by Jon Burge or officers~~
21 ~~under his command, or both.~~

22 (3) To coordinate the investigation of cases accepted
23 for review.

24 (4) To maintain records for all case investigations.

25 (5) To prepare written reports outlining Commission

1 investigations and recommendations to the trial court at
2 the completion of each inquiry.

3 (6) To apply for and accept any funds that may become
4 available for the Commission's work from government
5 grants, private gifts, donations, or bequests from any
6 source.

7 (Source: P.A. 96-223, eff. 8-10-09.)

8 (775 ILCS 40/70)

9 Sec. 70. Filing of claims. This Act applies to claims of
10 torture filed not later than 10 ~~5~~ years after the effective
11 date of this Act.

12 (Source: P.A. 96-223, eff. 8-10-09.)".