



Rep. Jaime M. Andrade, Jr.

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10200HB0384ham001

LRB102 03968 JWD 23907 a

1 AMENDMENT TO HOUSE BILL 384

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 384 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Illinois Forensic Science Commission Act.

6 Section 5. The Department of State Police Law of the Civil  
7 Administrative Code of Illinois is amended by adding Section  
8 2605-615 as follows:

9 (20 ILCS 2605/2605-615 new)

10 Sec. 2605-615. Illinois Forensic Science Commission.

11 (a) Creation. There is created within the Illinois State  
12 Police the Illinois Forensic Science Commission.

13 (b) Duties and purpose. The Commission shall:

14 (1) Provide guidance to ensure the efficient delivery  
15 of forensic services and the sound practice of forensic

1 science.

2 (2) Provide a forum for discussions between forensic  
3 science stakeholders to improve communication and  
4 coordination and to monitor the important issues impacting  
5 all stakeholders.

6 (3) Take a systems-based approach in reviewing all  
7 aspects of the delivery of forensic services and the sound  
8 practice of forensic science with the goal of reducing or  
9 eliminating the factors and inefficiencies that contribute  
10 to backlogs and errors, with a focus on education and  
11 training, funding, hiring, procurement, and other aspects  
12 identified by the Commission.

13 (4) Review significant non-conformities with the sound  
14 practice of forensic science documented by each  
15 publicly-funded forensic laboratory and offer  
16 recommendations for the correction thereof.

17 (5) Subject to appropriation, provide educational,  
18 research, and professional training opportunities for  
19 practicing forensic scientists, police officers, judges,  
20 State's Attorneys and Assistant State's Attorneys, Public  
21 Defenders, and defense attorneys comporting with the sound  
22 practice of forensic science.

23 (6) Collect and analyze information related to the  
24 impact of current laws, rules, policies, and practices on  
25 forensic crime laboratories and the practice of forensic  
26 science; evaluate the impact of those laws, rules,

1 policies, and practices on forensic crime laboratories and  
2 the practice of forensic science; identify new policies  
3 and approaches, together with changes in science, and  
4 technology; and make recommendations for changes to those  
5 laws, rules, policies, and practices that will yield  
6 better results in the criminal justice system consistent  
7 with the sound practice of forensic science.

8 (7) Perform such other studies or tasks pertaining to  
9 forensic crime laboratories as may be requested by the  
10 General Assembly by resolution or the Governor, and  
11 perform such other functions as may be required by law or  
12 as are necessary to carry out the purposes and goals of the  
13 Commission prescribed in this Section.

14 (8) Ensure that adequate resources and facilities are  
15 available for carrying out the changes proposed in  
16 legislation, rules, or policies and that rational  
17 priorities are established for the use of those resources.  
18 To do so, the Commission may prepare statements to the  
19 Governor and General Assembly identifying the fiscal and  
20 practical effects of proposed legislation, rules, or  
21 policy changes, Such statements may include, but are not  
22 limited to: the impact on present levels of staffing and  
23 resources; a professional opinion on the practical value  
24 of the change or changes; the increase or decrease the  
25 number of crime laboratories; the increase or decrease the  
26 cost of operating crime laboratories; the impact on

1 efficiencies and caseloads; other information, including  
2 but not limited to, facts, data, research, and science  
3 relevant to the legislation, rule, or policy; the direct  
4 or indirect alteration in any process involving or used by  
5 crime laboratories of such proposed legislation, rules, or  
6 policy changes; an analysis of the impact, either directly  
7 or indirectly, on the technology, improvements, or  
8 practices of forensic analyses for use in criminal  
9 proceedings; together with the direct or indirect impact  
10 on headcount, space, equipment, instruments,  
11 accreditation, the volume of cases for analysis,  
12 scientific controls, and quality assurance.

13 (c) Members. The Commission shall be composed of the  
14 Director of the Illinois State Police, or his or her designee,  
15 together with the following members appointed by the Governor  
16 with the advice and consent of the Senate:

17 (1) One crime laboratory director or administrator  
18 from each publicly-funded forensic laboratory system.

19 (2) One member with experience in the admission of  
20 forensic evidence in trials from a statewide association  
21 representing prosecutors.

22 (3) One member with experience in the admission of  
23 forensic evidence in trials from a statewide association  
24 representing criminal defense attorneys.

25 (4) Three forensic scientists with bench work  
26 background from various forensic disciplines (e.g., DNA,

1 chemistry, pattern evidence, etc.).

2 (5) One retired circuit court judge or associate  
3 circuit court judge with criminal trial experience,  
4 including experience in the admission of forensic evidence  
5 in trials.

6 (6) One academic specializing in the field of forensic  
7 sciences.

8 (7) One or more community representatives (e.g.,  
9 victim advocates, innocence project organizations, sexual  
10 assault examiners, etc.).

11 Of the initial appointments, the Governor shall appoint  
12 half of the members for terms of 2 years and half of the  
13 members for terms of 4 years. Thereafter, all members shall be  
14 appointed for terms of 4 years.

15 The Governor shall designate one of the members of the  
16 Commission to serve as the chair of the Commission. The  
17 members of the Commission shall elect from their number such  
18 other officers as they may determine. Members of the  
19 Commission shall serve without compensation, but may be  
20 reimbursed for reasonable expenses incurred in the performance  
21 of their duties from funds appropriated for that purpose.

22 (d) Subcommittees. The Commission may form subcommittees  
23 to study specific issues identified under paragraph (3) of  
24 subsection (b), including, but not limited to, subcommittees  
25 on education and training, procurement, funding and hiring. Ad  
26 hoc subcommittees may also be convened to address other

1 issues. Such subcommittees shall meet as needed to complete  
2 their work, and shall report their findings back to the  
3 Commission. Subcommittees shall include members of the  
4 Commission, and may also include non-members such as forensic  
5 science stakeholders and subject matter experts.

6 (e) Meetings. The Commission shall meet quarterly, at the  
7 call of the chairperson. Facilities for meeting, whether  
8 remotely or in person, shall be provided for the Commission by  
9 the Illinois State Police.

10 (f) Reporting by publicly-funded forensic laboratories.  
11 All State and local publicly-funded forensic laboratory  
12 systems, including, but not limited to, the DuPage County  
13 Forensic Science Center, the Northeastern Illinois Regional  
14 Crime Laboratory, and the Illinois State Police, shall  
15 annually provide to the Commission a report summarizing its  
16 significant non-conformities with the efficient delivery of  
17 forensic services and the sound practice of forensic science.  
18 The report will identify: each significant non-conformity or  
19 deficient method; how the non-conformity or deficient method  
20 was detected; the nature and extent of the non-conformity or  
21 deficient method; all corrective actions implemented to  
22 address the non-conformity or deficient method; and an  
23 analysis of the effectiveness of the corrective actions taken.

24 (g) Definition. As used in this Section, "Commission"  
25 means the Illinois Forensic Science Commission.

1 Section 60. The Code of Criminal Procedure of 1963 is  
2 amended by adding Sections 111-9 and 116-6 as follows:

3 (725 ILCS 5/111-9 new)

4 Sec. 111-9. Notification to forensic laboratories. Unless  
5 the Supreme Court shall by Rule provide otherwise, upon  
6 disposition, withdrawal, or dismissal of any charge, the  
7 State's Attorney shall promptly notify the forensic laboratory  
8 or laboratories in possession of evidence, reports, or other  
9 materials or information related to that charge. Notification  
10 may be given by any reasonable means under the circumstances,  
11 including, but not limited to, the Illinois State Police  
12 Laboratory Information Management System, email, or telephone.

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.".