

1 AN ACT concerning the Illinois State Police.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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
16 science.

17 (2) Provide a forum for discussions between forensic
18 science stakeholders to improve communication and
19 coordination and to monitor the important issues impacting
20 all stakeholders.

21 (3) Take a systems-based approach in reviewing all
22 aspects of the delivery of forensic services and the sound

1 practice of forensic science with the goal of reducing or
2 eliminating the factors and inefficiencies that contribute
3 to backlogs and errors, with a focus on education and
4 training, funding, hiring, procurement, and other aspects
5 identified by the Commission.

6 (4) Review significant non-conformities with the sound
7 practice of forensic science documented by each
8 publicly-funded forensic laboratory and offer
9 recommendations for the correction thereof.

10 (5) Subject to appropriation, provide educational,
11 research, and professional training opportunities for
12 practicing forensic scientists, police officers, judges,
13 State's Attorneys and Assistant State's Attorneys, Public
14 Defenders, and defense attorneys comporting with the sound
15 practice of forensic science.

16 (6) Collect and analyze information related to the
17 impact of current laws, rules, policies, and practices on
18 forensic crime laboratories and the practice of forensic
19 science; evaluate the impact of those laws, rules,
20 policies, and practices on forensic crime laboratories and
21 the practice of forensic science; identify new policies
22 and approaches, together with changes in science, and
23 technology; and make recommendations for changes to those
24 laws, rules, policies, and practices that will yield
25 better results in the criminal justice system consistent
26 with the sound practice of forensic science.

1 (7) Perform such other studies or tasks pertaining to
2 forensic crime laboratories as may be requested by the
3 General Assembly by resolution or the Governor, and
4 perform such other functions as may be required by law or
5 as are necessary to carry out the purposes and goals of the
6 Commission prescribed in this Section.

7 (8) Ensure that adequate resources and facilities are
8 available for carrying out the changes proposed in
9 legislation, rules, or policies and that rational
10 priorities are established for the use of those resources.
11 To do so, the Commission may prepare statements to the
12 Governor and General Assembly identifying the fiscal and
13 practical effects of proposed legislation, rules, or
14 policy changes. Such statements may include, but are not
15 limited to: the impact on present levels of staffing and
16 resources; a professional opinion on the practical value
17 of the change or changes; the increase or decrease in the
18 number of crime laboratories; the increase or decrease in
19 the cost of operating crime laboratories; the impact on
20 efficiencies and caseloads; other information, including
21 but not limited to, facts, data, research, and science
22 relevant to the legislation, rule, or policy; the direct
23 or indirect alteration in any process involving or used by
24 crime laboratories of such proposed legislation, rules, or
25 policy changes; an analysis of the impact, either directly
26 or indirectly, on the technology, improvements, or

1 practices of forensic analyses for use in criminal
2 proceedings; together with the direct or indirect impact
3 on headcount, space, equipment, instruments,
4 accreditation, the volume of cases for analysis,
5 scientific controls, and quality assurance.

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

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

12 (2) One member with experience in the admission of
13 forensic evidence in trials from a statewide association
14 representing prosecutors.

15 (3) One member with experience in the admission of
16 forensic evidence in trials from a statewide association
17 representing criminal defense attorneys.

18 (4) Three forensic scientists with bench work
19 background from various forensic disciplines (e.g., DNA,
20 chemistry, pattern evidence, etc.).

21 (5) One retired circuit court judge or associate
22 circuit court judge with criminal trial experience,
23 including experience in the admission of forensic evidence
24 in trials.

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

1 (7) One or more community representatives (e.g.,
2 victim advocates, innocence project organizations, sexual
3 assault examiners, etc.).

4 Of the initial appointments, the Governor shall appoint
5 half of the members for terms of 2 years and half of the
6 members for terms of 4 years. Thereafter, all members shall be
7 appointed for terms of 4 years.

8 The Governor shall designate one of the members of the
9 Commission to serve as the chair of the Commission. The
10 members of the Commission shall elect from their number such
11 other officers as they may determine. Members of the
12 Commission shall serve without compensation, but may be
13 reimbursed for reasonable expenses incurred in the performance
14 of their duties from funds appropriated for that purpose.

15 (d) Subcommittees. The Commission may form subcommittees
16 to study specific issues identified under paragraph (3) of
17 subsection (b), including, but not limited to, subcommittees
18 on education and training, procurement, funding and hiring. Ad
19 hoc subcommittees may also be convened to address other
20 issues. Such subcommittees shall meet as needed to complete
21 their work, and shall report their findings back to the
22 Commission. Subcommittees shall include members of the
23 Commission, and may also include non-members such as forensic
24 science stakeholders and subject matter experts.

25 (e) Meetings. The Commission shall meet quarterly, at the
26 call of the chairperson. Facilities for meeting, whether

1 remotely or in person, shall be provided for the Commission by
2 the Illinois State Police.

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

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

19 Section 60. The Code of Criminal Procedure of 1963 is
20 amended by adding Section 111-9 as follows:

21 (725 ILCS 5/111-9 new)

22 Sec. 111-9. Notification to forensic laboratories. Unless
23 the Supreme Court shall by Rule provide otherwise, upon
24 disposition, withdrawal, or dismissal of any charge, the

1 State's Attorney shall promptly notify the forensic laboratory
2 or laboratories in possession of evidence, reports, or other
3 materials or information related to that charge. Notification
4 may be given by any reasonable means under the circumstances,
5 including, but not limited to, the Illinois State Police
6 Laboratory Information Management System, email, or telephone.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.