

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 1. Short title. This Act may be cited as the  
5 Privacy of Adult Victims of Criminal Sexual Offenses Act.

6 Section 5. Definitions.

7 "Adult victim" means any person 18 years of age or older.

8 "Criminal history record information" means:

9 (a) chronologically maintained arrest information,  
10 such as traditional arrest logs or blotters;

11 (b) the name of a person in the custody of a law  
12 enforcement agency and the charges for which that person  
13 is being held;

14 (c) court records that are public; records that are  
15 otherwise available under State or local law; or

16 (d) records in which the requesting party is the  
17 individual identified, except as provided under part (vii)  
18 of paragraph (c) of subsection (1) of Section 7 of the  
19 Freedom of Information Act.

20 Section 10. Victim privacy. Notwithstanding any other law  
21 to the contrary, inspection and copying of law enforcement  
22 records maintained by any law enforcement agency or all

1 circuit court records maintained by any circuit clerk relating  
2 to any investigation or proceeding pertaining to a criminal  
3 sexual offense, by any person, except a judge, State's  
4 Attorney, Assistant State's Attorney, psychologist,  
5 psychiatrist, social worker, doctor, parent, parole agent,  
6 aftercare specialist, probation officer, defendant or  
7 defendant's attorney in any criminal proceeding or  
8 investigation related thereto shall be restricted to exclude  
9 the identity of any adult victim of such criminal sexual  
10 offense or alleged criminal sexual offense unless a court  
11 order is issued authorizing the removal of such restriction as  
12 provided under this Section of a particular case record or  
13 particular records of cases maintained by any circuit court  
14 clerk.

15 A court may for the adult victim's protection and for good  
16 cause shown, prohibit any person or agency present in court  
17 from further disclosing the adult victim's identity.

18 Section 15. Criminal sexual offense and school districts.  
19 When a criminal sexual offense is committed or alleged to have  
20 been committed by a school district employee or any individual  
21 contractually employed by a school district, a copy of the  
22 criminal history record information relating to the  
23 investigation of the offense or alleged offense shall be  
24 transmitted to the superintendent of schools of the district  
25 immediately upon request or if the law enforcement agency

1 knows that a school district employee or any individual  
2 contractually employed by a school district has committed or  
3 is alleged to have committed a criminal sexual offense, the  
4 superintendent of schools of the district shall be immediately  
5 provided a copy of the criminal history record information.  
6 The superintendent shall be restricted from specifically  
7 revealing the name of the adult victim without written consent  
8 of the victim.

9 A court may prohibit such disclosure only after giving  
10 notice and a hearing to all affected parties. In determining  
11 whether to prohibit disclosure of the adult victim's identity  
12 the court shall consider:

- 13 (a) the best interest of the adult victim; and  
14 (b) whether such nondisclosure would further a compelling  
15 State interest.