



Rep. Tom Weber

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10300HB3584ham002

LRB103 29193 RLC 59333 a

1 AMENDMENT TO HOUSE BILL 3584

2 AMENDMENT NO. _____. Amend House Bill 3584, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Rights of Crime Victims and Witnesses Act
6 is amended by changing Section 4 as follows:

7 (725 ILCS 120/4) (from Ch. 38, par. 1404)

8 Sec. 4. Rights of crime victims.

9 (a) Crime victims shall have the following rights:

10 (1) The right to be treated with fairness and respect
11 for their dignity and privacy and to be free from
12 harassment, intimidation, and abuse throughout the
13 criminal justice process.

14 (1.5) The right to notice and to a hearing before a
15 court ruling on a request for access to any of the victim's
16 records, information, or communications which are

1 privileged or confidential by law.

2 (2) The right to timely notification of all court
3 proceedings.

4 (3) The right to communicate with the prosecution.

5 (4) The right to be heard at any post-arraignment
6 court proceeding in which a right of the victim is at issue
7 and any court proceeding involving a post-arraignment
8 release decision, plea, or sentencing.

9 (5) The right to be notified of the conviction, the
10 sentence, the imprisonment and the release of the accused.

11 (6) The right to the timely disposition of the case
12 following the arrest of the accused.

13 (7) The right to be reasonably protected from the
14 accused through the criminal justice process.

15 (7.5) The right to have the safety of the victim and
16 the victim's family considered in determining whether to
17 release the defendant and setting conditions of release
18 after arrest and conviction.

19 (8) The right to be present at the trial and all other
20 court proceedings on the same basis as the accused, unless
21 the victim is to testify and the court determines that the
22 victim's testimony would be materially affected if the
23 victim hears other testimony at the trial.

24 (9) The right to have present at all court
25 proceedings, including proceedings under the Juvenile
26 Court Act of 1987, subject to the rules of evidence, an

1 advocate and other support person of the victim's choice.

2 (10) The right to restitution.

3 (b) Any law enforcement agency that investigates an
4 offense committed in this State shall provide a crime victim
5 with a written statement and explanation of the rights of
6 crime victims ~~under this amendatory Act of the 99th General~~
7 ~~Assembly~~ within 48 hours of law enforcement's initial contact
8 with a victim. The statement shall include information about
9 crime victim compensation, including how to contact the Office
10 of the Illinois Attorney General to file a claim, and
11 appropriate referrals to local and State programs that provide
12 victim services. The content of the statement shall be
13 provided to law enforcement by the Attorney General. Law
14 enforcement shall also provide a crime victim with a sign-off
15 sheet that the victim shall sign and date as an
16 acknowledgement that he or she has been furnished with
17 information and an explanation of the rights of crime victims
18 and compensation set forth in this Act, including the ability
19 to file a complaint against an individual who is licensed by
20 the Illinois Department of Financial and Professional
21 Regulation.

22 (b-5) Upon the request of the victim, the law enforcement
23 agency having jurisdiction shall provide a free copy of the
24 police report concerning the victim's incident, as soon as
25 practicable, but in no event later than 5 business days from
26 the request.

1 (c) The Clerk of the Circuit Court shall post the rights of
2 crime victims set forth in Article I, Section 8.1(a) of the
3 Illinois Constitution and subsection (a) of this Section
4 within 3 feet of the door to any courtroom where criminal
5 proceedings are conducted. The clerk may also post the rights
6 in other locations in the courthouse.

7 (d) At any point, the victim has the right to retain a
8 victim's attorney who may be present during all stages of any
9 interview, investigation, or other interaction with
10 representatives of the criminal justice system. Treatment of
11 the victim should not be affected or altered in any way as a
12 result of the victim's decision to exercise this right.

13 (Source: P.A. 100-1087, eff. 1-1-19; 101-652, eff. 1-1-23.)".