

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 5. The Department of Juvenile Justice Mortality
5 Review Team Act is amended by changing Sections 20, 25, and 30
6 as follows:

7 (730 ILCS 195/20)

8 Sec. 20. Reviews of youth deaths.

9 (a) A mortality review team shall review every death of a
10 youth that occurs within a facility of the Department or as the
11 result of an act or incident occurring within a facility of the
12 Department, including deaths resulting from suspected illness,
13 injury, or self-harm or from an unknown cause.

14 (b) If the coroner of the county in which a youth died
15 determines that the youth's death was the direct or proximate
16 result of alleged or suspected criminal activity, the mortality
17 review team's investigation shall be in addition to any
18 criminal investigation of the death but shall be limited to a
19 review of systems and practices of the Department. In the
20 course of conducting its review, the team shall obtain
21 assurance from law enforcement officials that acts taken in
22 furtherance of the review will not impair any criminal
23 investigation or prosecution.

1 (c) A mortality review team's purpose in conducting a
2 review of a youth death is to do the following:

3 (1) Assist in determining the cause and manner of the
4 youth's death, if requested.

5 (2) Evaluate any means by which the death might have
6 been prevented, including, but not limited to, the
7 evaluation of the Department's systems for the following:

8 (A) Training.

9 (B) Assessment and referral for services.

10 (C) Communication.

11 (D) Housing.

12 (E) Supervision of youth.

13 (F) Intervention in critical incidents.

14 (G) Reporting.

15 (H) Follow-up and mortality review following
16 critical incidents or youth deaths.

17 (3) Recommend continuing education and training for
18 Department staff.

19 (4) Make specific recommendations to the Director
20 concerning the prevention of deaths of youth in the
21 Department's custody.

22 (d) A mortality review team shall review a youth death as
23 soon as practicable and not later than within 60 ~~90~~ days after
24 a law enforcement agency's completion of its investigation if
25 the death is the result of alleged or suspected criminal
26 activity. If there has been no investigation by a law

1 enforcement agency, the mortality review team shall review a
2 youth's death within 60 ~~90~~ days after obtaining the information
3 necessary to complete the review from the coroner, pathologist,
4 medical examiner, or law enforcement agency, depending on the
5 nature of the case. The team shall meet as needed in person or
6 via teleconference or video conference following appointment
7 of the team members. When necessary and upon request of the
8 team, the Director may extend the deadline for a review up to
9 an additional 90 days.

10 (Source: P.A. 96-1378, eff. 7-29-10.)

11 (730 ILCS 195/25)

12 Sec. 25. Director's reply and additional report.

13 (a) As soon as practicable, but not later than 90 days
14 after receipt of the recommendations made by a team pursuant to
15 subdivision (c) (4) of Section 20, the Director shall review and
16 reply to each such recommendation. With respect to each
17 recommendation made by a team, the Director shall submit his or
18 her reply to the chairperson of that team. The Director's reply
19 to each recommendation must include a statement as to whether
20 the Director intends to implement the recommendation. The
21 Director shall implement a team's recommendations as feasible
22 and appropriate and shall respond in writing to explain the
23 implementation or non-implementation of each recommendation.

24 (b) Within 60 ~~90~~ days after the Director submits a reply
25 with respect to a recommendation as required by subsection (a),

1 the Director must submit an additional report to the
2 chairperson of the team that sets forth in detail the way, if
3 any, in which the Director will implement the recommendation
4 and the schedule for implementing the recommendation.

5 (Source: P.A. 96-1378, eff. 7-29-10.)

6 (730 ILCS 195/30)

7 Sec. 30. Report to Executive Inspector General. Within 120
8 ~~180~~ days after the Director submits a reply under subsection
9 (a) of Section 25 concerning the implementation of a team's
10 recommendation, the Director shall submit a further report to
11 the chairperson of the team that made the recommendation and to
12 the Executive Inspector General appointed by the Governor under
13 Section 20-10 of the State Officials and Employees Ethics Act.
14 The Director's report shall set forth any specific changes in
15 the Department's policies and procedures that have been made in
16 response to the team's recommendation.

17 (Source: P.A. 96-1378, eff. 7-29-10.)