

1 AN ACT concerning government.

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

4 Section 5. The Freedom of Information Act is amended by
5 changing Sections 2.15 and 7.5 as follows:

6 (5 ILCS 140/2.15)

7 Sec. 2.15. Arrest reports and criminal history records.

8 (a) Arrest reports. The following chronologically
9 maintained arrest and criminal history information maintained
10 by State or local criminal justice agencies shall be furnished
11 as soon as practical, but in no event later than 72 hours after
12 the arrest, notwithstanding the time limits otherwise provided
13 for in Section 3 of this Act: (i) information that identifies
14 the individual, including the name, age, address, and
15 photograph, when and if available; (ii) information detailing
16 any charges relating to the arrest; (iii) the time and location
17 of the arrest; (iv) the name of the investigating or arresting
18 law enforcement agency; (v) if the individual is incarcerated,
19 the amount of any bail or bond; and (vi) if the individual is
20 incarcerated, the time and date that the individual was
21 received into, discharged from, or transferred from the
22 arresting agency's custody.

23 (b) Criminal history records. The following documents

1 maintained by a public body pertaining to criminal history
2 record information are public records subject to inspection and
3 copying by the public pursuant to this Act: (i) court records
4 that are public; (ii) records that are otherwise available
5 under State or local law; and (iii) records in which the
6 requesting party is the individual identified, except as
7 provided under Section 7(1)(d)(vi).

8 (c) Information described in items (iii) through (vi) of
9 subsection (a) may be withheld if it is determined that
10 disclosure would: (i) interfere with pending or actually and
11 reasonably contemplated law enforcement proceedings conducted
12 by any law enforcement agency; (ii) endanger the life or
13 physical safety of law enforcement or correctional personnel or
14 any other person; or (iii) compromise the security of any
15 correctional facility.

16 (d) The provisions of this Section do not supersede the
17 confidentiality provisions for law enforcement or arrest
18 records of the Juvenile Court Act of 1987.

19 (Source: P.A. 96-542, eff. 1-1-10.)

20 (5 ILCS 140/7.5)

21 Sec. 7.5. Statutory exemptions ~~Exemptions~~. To the extent
22 provided for by the statutes referenced below, the following
23 shall be exempt from inspection and copying:

24 (a) All information determined to be confidential
25 under Section 4002 of the Technology Advancement and

1 Development Act.

2 (b) Library circulation and order records identifying
3 library users with specific materials under the Library
4 Records Confidentiality Act.

5 (c) Applications, related documents, and medical
6 records received by the Experimental Organ Transplantation
7 Procedures Board and any and all documents or other records
8 prepared by the Experimental Organ Transplantation
9 Procedures Board or its staff relating to applications it
10 has received.

11 (d) Information and records held by the Department of
12 Public Health and its authorized representatives relating
13 to known or suspected cases of sexually transmissible
14 disease or any information the disclosure of which is
15 restricted under the Illinois Sexually Transmissible
16 Disease Control Act.

17 (e) Information the disclosure of which is exempted
18 under Section 30 of the Radon Industry Licensing Act.

19 (f) Firm performance evaluations under Section 55 of
20 the Architectural, Engineering, and Land Surveying
21 Qualifications Based Selection Act.

22 (g) Information the disclosure of which is restricted
23 and exempted under Section 50 of the Illinois Prepaid
24 Tuition Act.

25 (h) Information the disclosure of which is exempted
26 under the State Officials and Employees Ethics Act, and

1 records of any lawfully created State or local inspector
2 general's office that would be exempt if created or
3 obtained by an Executive Inspector General's office under
4 that Act.

5 (i) Information contained in a local emergency energy
6 plan submitted to a municipality in accordance with a local
7 emergency energy plan ordinance that is adopted under
8 Section 11-21.5-5 of the Illinois Municipal Code.

9 (j) Information and data concerning the distribution
10 of surcharge moneys collected and remitted by wireless
11 carriers under the Wireless Emergency Telephone Safety
12 Act.

13 (k) Law enforcement officer identification information
14 or driver identification information compiled by a law
15 enforcement agency or the Department of Transportation
16 under Section 11-212 of the Illinois Vehicle Code.

17 (l) Records and information provided to a residential
18 health care facility resident sexual assault and death
19 review team or the Executive Council under the Abuse
20 Prevention Review Team Act.

21 (m) Information provided to the predatory lending
22 database created pursuant to Article 3 of the Residential
23 Real Property Disclosure Act, except to the extent
24 authorized under that Article.

25 (n) Defense budgets and petitions for certification of
26 compensation and expenses for court appointed trial

1 counsel as provided under Sections 10 and 15 of the Capital
2 Crimes Litigation Act. This subsection (n) shall apply
3 until the conclusion of the trial of the case, even if the
4 prosecution chooses not to pursue the death penalty prior
5 to trial or sentencing.

6 (o) Information that is prohibited from being
7 disclosed under Section 4 of the Illinois Health and
8 Hazardous Substances Registry Act.

9 (p) Security portions of system safety program plans,
10 investigation reports, surveys, schedules, lists, data, or
11 information compiled, collected, or prepared by or for the
12 Regional Transportation Authority under Section 2.11 of
13 the Regional Transportation Authority Act or the St. Clair
14 County Transit District under the Bi-State Transit Safety
15 Act.

16 (q) Information prohibited from being disclosed by the
17 Personnel Records Review Act.

18 (r) Information prohibited from being disclosed by the
19 Illinois School Student Records Act.

20 (s) Information the disclosure of which is restricted
21 under Section 5-108 of the Public Utilities Act.

22 (t) All identified or deidentified health information
23 in the form of health data or medical records contained in,
24 stored in, submitted to, transferred by, or released from
25 the Illinois Health Information Exchange, and identified
26 or deidentified health information in the form of health

1 data and medical records of the Illinois Health Information
2 Exchange in the possession of the Illinois Health
3 Information Exchange Authority due to its administration
4 of the Illinois Health Information Exchange. The terms
5 "identified" and "deidentified" shall be given the same
6 meaning as in the Health Insurance Accountability and
7 Portability Act of 1996, Public Law 104-191, or any
8 subsequent amendments thereto, and any regulations
9 promulgated thereunder.

10 (u) Records and information provided to an independent
11 team of experts under Brian's Law.

12 (v) Names and information of people who have applied
13 for or received Firearm Owner's Identification Cards under
14 the Firearm Owners Identification Card Act or applied for
15 or received a concealed carry license under the Firearm
16 Concealed Carry Act, unless otherwise authorized by the
17 Firearm Concealed Carry Act; and databases under the
18 Firearm Concealed Carry Act, records of the Concealed Carry
19 Licensing Review Board under the Firearm Concealed Carry
20 Act, and law enforcement agency objections under the
21 Firearm Concealed Carry Act.

22 (w) Personally identifiable information which is
23 exempted from disclosure under subsection (g) of Section
24 19.1 of the Toll Highway Act.

25 (x) Information which is exempted from disclosure
26 under Section 5-1014.3 of the Counties Code or Section

1 8-11-21 of the Illinois Municipal Code.

2 (y) Confidential information under the Adult
3 Protective Services Act and its predecessor enabling
4 statute, the Elder Abuse and Neglect Act, including
5 information about the identity and administrative finding
6 against any caregiver of a verified and substantiated
7 decision of abuse, neglect, or financial exploitation of an
8 eligible adult maintained in the Registry established
9 under Section 7.5 of the Adult Protective Services Act.

10 (z) Records and information provided to a fatality
11 review team or the Illinois Fatality Review Team Advisory
12 Council under Section 15 of the Adult Protective Services
13 Act.

14 (aa) Information which is exempted from disclosure
15 under Section 2.37 of the Wildlife Code.

16 (bb) Information which is or was prohibited from
17 disclosure by the Juvenile Court Act of 1987.

18 (Source: P.A. 97-80, eff. 7-5-11; 97-333, eff. 8-12-11; 97-342,
19 eff. 8-12-11; 97-813, eff. 7-13-12; 97-976, eff. 1-1-13; 98-49,
20 eff. 7-1-13; 98-63, eff. 7-9-13; 98-756, eff. 7-16-14; 98-1039,
21 eff. 8-25-14; 98-1045, eff. 8-25-14; revised 10-1-14.)

22 Section 10. The Juvenile Court Act of 1987 is amended by
23 changing Sections 1-7 and 5-905 as follows:

24 (705 ILCS 405/1-7) (from Ch. 37, par. 801-7)

1 Sec. 1-7. Confidentiality of law enforcement records.

2 (A) Inspection and copying of law enforcement records
3 maintained by law enforcement agencies that relate to a minor
4 who has been investigated, arrested, or taken into custody
5 before his or her 18th birthday shall be restricted to the
6 following:

7 (1) Any local, State or federal law enforcement
8 officers of any jurisdiction or agency when necessary for
9 the discharge of their official duties during the
10 investigation or prosecution of a crime or relating to a
11 minor who has been adjudicated delinquent and there has
12 been a previous finding that the act which constitutes the
13 previous offense was committed in furtherance of criminal
14 activities by a criminal street gang, or, when necessary
15 for the discharge of its official duties in connection with
16 a particular investigation of the conduct of a law
17 enforcement officer, an independent agency or its staff
18 created by ordinance and charged by a unit of local
19 government with the duty of investigating the conduct of
20 law enforcement officers. For purposes of this Section,
21 "criminal street gang" has the meaning ascribed to it in
22 Section 10 of the Illinois Streetgang Terrorism Omnibus
23 Prevention Act.

24 (2) Prosecutors, probation officers, social workers,
25 or other individuals assigned by the court to conduct a
26 pre-adjudication or pre-disposition investigation, and

1 individuals responsible for supervising or providing
2 temporary or permanent care and custody for minors pursuant
3 to the order of the juvenile court, when essential to
4 performing their responsibilities.

5 (3) Prosecutors and probation officers:

6 (a) in the course of a trial when institution of
7 criminal proceedings has been permitted or required
8 under Section 5-805; or

9 (b) when institution of criminal proceedings has
10 been permitted or required under Section 5-805 and such
11 minor is the subject of a proceeding to determine the
12 amount of bail; or

13 (c) when criminal proceedings have been permitted
14 or required under Section 5-805 and such minor is the
15 subject of a pre-trial investigation, pre-sentence
16 investigation, fitness hearing, or proceedings on an
17 application for probation.

18 (4) Adult and Juvenile Prisoner Review Board.

19 (5) Authorized military personnel.

20 (6) Persons engaged in bona fide research, with the
21 permission of the Presiding Judge of the Juvenile Court and
22 the chief executive of the respective law enforcement
23 agency; provided that publication of such research results
24 in no disclosure of a minor's identity and protects the
25 confidentiality of the minor's record.

26 (7) Department of Children and Family Services child

1 protection investigators acting in their official
2 capacity.

3 (8) The appropriate school official only if the agency
4 or officer believes that there is an imminent threat of
5 physical harm to students, school personnel, or others who
6 are present in the school or on school grounds.

7 (A) Inspection and copying shall be limited to law
8 enforcement records transmitted to the appropriate
9 school official or officials whom the school has
10 determined to have a legitimate educational or safety
11 interest by a local law enforcement agency under a
12 reciprocal reporting system established and maintained
13 between the school district and the local law
14 enforcement agency under Section 10-20.14 of the
15 School Code concerning a minor enrolled in a school
16 within the school district who has been arrested or
17 taken into custody for any of the following offenses:

18 (i) any violation of Article 24 of the Criminal
19 Code of 1961 or the Criminal Code of 2012;

20 (ii) a violation of the Illinois Controlled
21 Substances Act;

22 (iii) a violation of the Cannabis Control Act;

23 (iv) a forcible felony as defined in Section
24 2-8 of the Criminal Code of 1961 or the Criminal
25 Code of 2012;

26 (v) a violation of the Methamphetamine Control

1 and Community Protection Act;

2 (vi) a violation of Section 1-2 of the
3 Harassing and Obscene Communications Act;

4 (vii) a violation of the Hazing Act; or

5 (viii) a violation of Section 12-1, 12-2,
6 12-3, 12-3.05, 12-3.1, 12-3.2, 12-3.4, 12-3.5,
7 12-5, 12-7.3, 12-7.4, 12-7.5, 25-1, or 25-5 of the
8 Criminal Code of 1961 or the Criminal Code of 2012.

9 The information derived from the law enforcement
10 records shall be kept separate from and shall not
11 become a part of the official school record of that
12 child and shall not be a public record. The information
13 shall be used solely by the appropriate school official
14 or officials whom the school has determined to have a
15 legitimate educational or safety interest to aid in the
16 proper rehabilitation of the child and to protect the
17 safety of students and employees in the school. If the
18 designated law enforcement and school officials deem
19 it to be in the best interest of the minor, the student
20 may be referred to in-school or community based social
21 services if those services are available.
22 "Rehabilitation services" may include interventions by
23 school support personnel, evaluation for eligibility
24 for special education, referrals to community-based
25 agencies such as youth services, behavioral healthcare
26 service providers, drug and alcohol prevention or

1 treatment programs, and other interventions as deemed
2 appropriate for the student.

3 (B) Any information provided to appropriate school
4 officials whom the school has determined to have a
5 legitimate educational or safety interest by local law
6 enforcement officials about a minor who is the subject
7 of a current police investigation that is directly
8 related to school safety shall consist of oral
9 information only, and not written law enforcement
10 records, and shall be used solely by the appropriate
11 school official or officials to protect the safety of
12 students and employees in the school and aid in the
13 proper rehabilitation of the child. The information
14 derived orally from the local law enforcement
15 officials shall be kept separate from and shall not
16 become a part of the official school record of the
17 child and shall not be a public record. This limitation
18 on the use of information about a minor who is the
19 subject of a current police investigation shall in no
20 way limit the use of this information by prosecutors in
21 pursuing criminal charges arising out of the
22 information disclosed during a police investigation of
23 the minor. For purposes of this paragraph,
24 "investigation" means an official systematic inquiry
25 by a law enforcement agency into actual or suspected
26 criminal activity.

1 (9) Mental health professionals on behalf of the
2 Illinois Department of Corrections or the Department of
3 Human Services or prosecutors who are evaluating,
4 prosecuting, or investigating a potential or actual
5 petition brought under the Sexually Violent Persons
6 Commitment Act relating to a person who is the subject of
7 juvenile law enforcement records or the respondent to a
8 petition brought under the Sexually Violent Persons
9 Commitment Act who is the subject of the juvenile law
10 enforcement records sought. Any records and any
11 information obtained from those records under this
12 paragraph (9) may be used only in sexually violent persons
13 commitment proceedings.

14 (10) The president of a park district. Inspection and
15 copying shall be limited to law enforcement records
16 transmitted to the president of the park district by the
17 Illinois State Police under Section 8-23 of the Park
18 District Code or Section 16a-5 of the Chicago Park District
19 Act concerning a person who is seeking employment with that
20 park district and who has been adjudicated a juvenile
21 delinquent for any of the offenses listed in subsection (c)
22 of Section 8-23 of the Park District Code or subsection (c)
23 of Section 16a-5 of the Chicago Park District Act.

24 (B) (1) Except as provided in paragraph (2), no law
25 enforcement officer or other person or agency may knowingly
26 transmit to the Department of Corrections or the Department

1 of State Police or to the Federal Bureau of Investigation
2 any fingerprint or photograph relating to a minor who has
3 been arrested or taken into custody before his or her 18th
4 birthday, unless the court in proceedings under this Act
5 authorizes the transmission or enters an order under
6 Section 5-805 permitting or requiring the institution of
7 criminal proceedings.

8 (2) Law enforcement officers or other persons or
9 agencies shall transmit to the Department of State Police
10 copies of fingerprints and descriptions of all minors who
11 have been arrested or taken into custody before their 18th
12 birthday for the offense of unlawful use of weapons under
13 Article 24 of the Criminal Code of 1961 or the Criminal
14 Code of 2012, a Class X or Class 1 felony, a forcible
15 felony as defined in Section 2-8 of the Criminal Code of
16 1961 or the Criminal Code of 2012, or a Class 2 or greater
17 felony under the Cannabis Control Act, the Illinois
18 Controlled Substances Act, the Methamphetamine Control and
19 Community Protection Act, or Chapter 4 of the Illinois
20 Vehicle Code, pursuant to Section 5 of the Criminal
21 Identification Act. Information reported to the Department
22 pursuant to this Section may be maintained with records
23 that the Department files pursuant to Section 2.1 of the
24 Criminal Identification Act. Nothing in this Act prohibits
25 a law enforcement agency from fingerprinting a minor taken
26 into custody or arrested before his or her 18th birthday

1 for an offense other than those listed in this paragraph
2 (2).

3 (C) The records of law enforcement officers, or of an
4 independent agency created by ordinance and charged by a unit
5 of local government with the duty of investigating the conduct
6 of law enforcement officers, concerning all minors under 18
7 years of age must be maintained separate from the records of
8 arrests and may not be open to public inspection or their
9 contents disclosed to the public except by order of the court
10 presiding over matters pursuant to this Act or when the
11 institution of criminal proceedings has been permitted or
12 required under Section 5-805 or such a person has been
13 convicted of a crime and is the subject of pre-sentence
14 investigation or proceedings on an application for probation or
15 when provided by law. For purposes of obtaining documents
16 pursuant to this Section, a civil subpoena is not an order of
17 the court.

18 (1) In cases where the law enforcement, or independent
19 agency, records concern a pending juvenile court case, the
20 party seeking to inspect the records shall provide actual
21 notice to the attorney or guardian ad litem of the minor
22 whose records are sought.

23 (2) In cases where the records concern a juvenile court
24 case that is no longer pending, the party seeking to
25 inspect the records shall provide actual notice to the
26 minor or the minor's parent or legal guardian, and the

1 matter shall be referred to the chief judge presiding over
2 matters pursuant to this Act.

3 (3) In determining whether the records should be
4 available for inspection, the court shall consider the
5 minor's interest in confidentiality and rehabilitation
6 over the moving party's interest in obtaining the
7 information. Any records obtained in violation of this
8 subsection (C) shall not be admissible in any criminal or
9 civil proceeding, or operate to disqualify a minor from
10 subsequently holding public office or securing employment,
11 or operate as a forfeiture of any public benefit, right,
12 privilege, or right to receive any license granted by
13 public authority.

14 (D) Nothing contained in subsection (C) of this Section
15 shall prohibit the inspection or disclosure to victims and
16 witnesses of photographs contained in the records of law
17 enforcement agencies when the inspection and disclosure is
18 conducted in the presence of a law enforcement officer for the
19 purpose of the identification or apprehension of any person
20 subject to the provisions of this Act or for the investigation
21 or prosecution of any crime.

22 (E) Law enforcement officers, and personnel of an
23 independent agency created by ordinance and charged by a unit
24 of local government with the duty of investigating the conduct
25 of law enforcement officers, may not disclose the identity of
26 any minor in releasing information to the general public as to

1 the arrest, investigation or disposition of any case involving
2 a minor.

3 (F) Nothing contained in this Section shall prohibit law
4 enforcement agencies from communicating with each other by
5 letter, memorandum, teletype or intelligence alert bulletin or
6 other means the identity or other relevant information
7 pertaining to a person under 18 years of age if there are
8 reasonable grounds to believe that the person poses a real and
9 present danger to the safety of the public or law enforcement
10 officers. The information provided under this subsection (F)
11 shall remain confidential and shall not be publicly disclosed,
12 except as otherwise allowed by law.

13 (G) Nothing in this Section shall prohibit the right of a
14 Civil Service Commission or appointing authority of any state,
15 county or municipality examining the character and fitness of
16 an applicant for employment with a law enforcement agency,
17 correctional institution, or fire department from obtaining
18 and examining the records of any law enforcement agency
19 relating to any record of the applicant having been arrested or
20 taken into custody before the applicant's 18th birthday.

21 (H) The changes made to this Section by Public Act 98-61
22 apply to law enforcement records of a minor who has been
23 arrested or taken into custody on or after January 1, 2014 (the
24 effective date of Public Act 98-61).

25 (Source: P.A. 97-700, eff. 6-22-12; 97-1083, eff. 8-24-12;
26 97-1104, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-61, eff.

1 1-1-14; 98-756, eff. 7-16-14.)

2 (705 ILCS 405/5-905)

3 Sec. 5-905. Law enforcement records.

4 (1) Law Enforcement Records. Inspection and copying of law
5 enforcement records maintained by law enforcement agencies
6 that relate to a minor who has been investigated, arrested, or
7 taken into custody before his or her 18th birthday shall be
8 restricted to the following and when necessary for the
9 discharge of their official duties:

10 (a) A judge of the circuit court and members of the
11 staff of the court designated by the judge;

12 (b) Law enforcement officers, probation officers or
13 prosecutors or their staff, or, when necessary for the
14 discharge of its official duties in connection with a
15 particular investigation of the conduct of a law
16 enforcement officer, an independent agency or its staff
17 created by ordinance and charged by a unit of local
18 government with the duty of investigating the conduct of
19 law enforcement officers;

20 (c) The minor, the minor's parents or legal guardian
21 and their attorneys, but only when the juvenile has been
22 charged with an offense;

23 (d) Adult and Juvenile Prisoner Review Boards;

24 (e) Authorized military personnel;

25 (f) Persons engaged in bona fide research, with the

1 permission of the judge of juvenile court and the chief
2 executive of the agency that prepared the particular
3 recording: provided that publication of such research
4 results in no disclosure of a minor's identity and protects
5 the confidentiality of the record;

6 (g) Individuals responsible for supervising or
7 providing temporary or permanent care and custody of minors
8 pursuant to orders of the juvenile court or directives from
9 officials of the Department of Children and Family Services
10 or the Department of Human Services who certify in writing
11 that the information will not be disclosed to any other
12 party except as provided under law or order of court;

13 (h) The appropriate school official only if the agency
14 or officer believes that there is an imminent threat of
15 physical harm to students, school personnel, or others who
16 are present in the school or on school grounds.

17 (A) Inspection and copying shall be limited to law
18 enforcement records transmitted to the appropriate
19 school official or officials whom the school has
20 determined to have a legitimate educational or safety
21 interest by a local law enforcement agency under a
22 reciprocal reporting system established and maintained
23 between the school district and the local law
24 enforcement agency under Section 10-20.14 of the
25 School Code concerning a minor enrolled in a school
26 within the school district who has been arrested or

1 taken into custody for any of the following offenses:

2 (i) any violation of Article 24 of the Criminal
3 Code of 1961 or the Criminal Code of 2012;

4 (ii) a violation of the Illinois Controlled
5 Substances Act;

6 (iii) a violation of the Cannabis Control Act;

7 (iv) a forcible felony as defined in Section
8 2-8 of the Criminal Code of 1961 or the Criminal
9 Code of 2012;

10 (v) a violation of the Methamphetamine Control
11 and Community Protection Act;

12 (vi) a violation of Section 1-2 of the
13 Harassing and Obscene Communications Act;

14 (vii) a violation of the Hazing Act; or

15 (viii) a violation of Section 12-1, 12-2,
16 12-3, 12-3.05, 12-3.1, 12-3.2, 12-3.4, 12-3.5,
17 12-5, 12-7.3, 12-7.4, 12-7.5, 25-1, or 25-5 of the
18 Criminal Code of 1961 or the Criminal Code of 2012.

19 The information derived from the law enforcement
20 records shall be kept separate from and shall not
21 become a part of the official school record of that
22 child and shall not be a public record. The information
23 shall be used solely by the appropriate school official
24 or officials whom the school has determined to have a
25 legitimate educational or safety interest to aid in the
26 proper rehabilitation of the child and to protect the

1 safety of students and employees in the school. If the
2 designated law enforcement and school officials deem
3 it to be in the best interest of the minor, the student
4 may be referred to in-school or community based social
5 services if those services are available.
6 "Rehabilitation services" may include interventions by
7 school support personnel, evaluation for eligibility
8 for special education, referrals to community-based
9 agencies such as youth services, behavioral healthcare
10 service providers, drug and alcohol prevention or
11 treatment programs, and other interventions as deemed
12 appropriate for the student.

13 (B) Any information provided to appropriate school
14 officials whom the school has determined to have a
15 legitimate educational or safety interest by local law
16 enforcement officials about a minor who is the subject
17 of a current police investigation that is directly
18 related to school safety shall consist of oral
19 information only, and not written law enforcement
20 records, and shall be used solely by the appropriate
21 school official or officials to protect the safety of
22 students and employees in the school and aid in the
23 proper rehabilitation of the child. The information
24 derived orally from the local law enforcement
25 officials shall be kept separate from and shall not
26 become a part of the official school record of the

1 child and shall not be a public record. This limitation
2 on the use of information about a minor who is the
3 subject of a current police investigation shall in no
4 way limit the use of this information by prosecutors in
5 pursuing criminal charges arising out of the
6 information disclosed during a police investigation of
7 the minor. For purposes of this paragraph,
8 "investigation" means an official systematic inquiry
9 by a law enforcement agency into actual or suspected
10 criminal activity;

11 (i) The president of a park district. Inspection and
12 copying shall be limited to law enforcement records
13 transmitted to the president of the park district by the
14 Illinois State Police under Section 8-23 of the Park
15 District Code or Section 16a-5 of the Chicago Park District
16 Act concerning a person who is seeking employment with that
17 park district and who has been adjudicated a juvenile
18 delinquent for any of the offenses listed in subsection (c)
19 of Section 8-23 of the Park District Code or subsection (c)
20 of Section 16a-5 of the Chicago Park District Act.

21 (2) Information identifying victims and alleged victims of
22 sex offenses, shall not be disclosed or open to public
23 inspection under any circumstances. Nothing in this Section
24 shall prohibit the victim or alleged victim of any sex offense
25 from voluntarily disclosing his or her identity.

26 (2.5) If the minor is a victim of aggravated battery,

1 battery, attempted first degree murder, or other non-sexual
2 violent offense, the identity of the victim may be disclosed to
3 appropriate school officials, for the purpose of preventing
4 foreseeable future violence involving minors, by a local law
5 enforcement agency pursuant to an agreement established
6 between the school district and a local law enforcement agency
7 subject to the approval by the presiding judge of the juvenile
8 court.

9 (3) Relevant information, reports and records shall be made
10 available to the Department of Juvenile Justice when a juvenile
11 offender has been placed in the custody of the Department of
12 Juvenile Justice.

13 (4) Nothing in this Section shall prohibit the inspection
14 or disclosure to victims and witnesses of photographs contained
15 in the records of law enforcement agencies when the inspection
16 or disclosure is conducted in the presence of a law enforcement
17 officer for purposes of identification or apprehension of any
18 person in the course of any criminal investigation or
19 prosecution.

20 (5) The records of law enforcement officers, or of an
21 independent agency created by ordinance and charged by a unit
22 of local government with the duty of investigating the conduct
23 of law enforcement officers, concerning all minors under 18
24 years of age must be maintained separate from the records of
25 adults and may not be open to public inspection or their
26 contents disclosed to the public except by order of the court

1 or when the institution of criminal proceedings has been
2 permitted under Section 5-130 or 5-805 or required under
3 Section 5-130 or 5-805 or such a person has been convicted of a
4 crime and is the subject of pre-sentence investigation or when
5 provided by law.

6 (6) Except as otherwise provided in this subsection (6),
7 law enforcement officers, and personnel of an independent
8 agency created by ordinance and charged by a unit of local
9 government with the duty of investigating the conduct of law
10 enforcement officers, may not disclose the identity of any
11 minor in releasing information to the general public as to the
12 arrest, investigation or disposition of any case involving a
13 minor. Any victim or parent or legal guardian of a victim may
14 petition the court to disclose the name and address of the
15 minor and the minor's parents or legal guardian, or both. Upon
16 a finding by clear and convincing evidence that the disclosure
17 is either necessary for the victim to pursue a civil remedy
18 against the minor or the minor's parents or legal guardian, or
19 both, or to protect the victim's person or property from the
20 minor, then the court may order the disclosure of the
21 information to the victim or to the parent or legal guardian of
22 the victim only for the purpose of the victim pursuing a civil
23 remedy against the minor or the minor's parents or legal
24 guardian, or both, or to protect the victim's person or
25 property from the minor.

26 (7) Nothing contained in this Section shall prohibit law

1 enforcement agencies when acting in their official capacity
2 from communicating with each other by letter, memorandum,
3 teletype or intelligence alert bulletin or other means the
4 identity or other relevant information pertaining to a person
5 under 18 years of age. The information provided under this
6 subsection (7) shall remain confidential and shall not be
7 publicly disclosed, except as otherwise allowed by law.

8 (8) No person shall disclose information under this Section
9 except when acting in his or her official capacity and as
10 provided by law or order of court.

11 (9) The changes made to this Section by Public Act 98-61
12 apply to law enforcement records of a minor who has been
13 arrested or taken into custody on or after January 1, 2014 (the
14 effective date of Public Act 98-61).

15 (Source: P.A. 97-700, eff. 6-22-12; 97-1104, eff. 1-1-13;
16 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14; 98-756, eff.
17 7-16-14.)