



Rep. Kelly M. Cassidy

Filed: 4/7/2025

10400HB3710ham001

LRB104 10600 RLC 25015 a

1 AMENDMENT TO HOUSE BILL 3710

2 AMENDMENT NO. _____. Amend House Bill 3710 by replacing
3 everything after the enacting clause with the following:

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

6 (725 ILCS 120/4) (from Ch. 38, par. 1404)

7 Sec. 4. Rights of crime victims.

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

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

13 (1.1) When a person reports being a crime victim as
14 defined in Section 3, the right to be treated with
15 fairness and respect during the investigatory process,
16 including the right to be free from deception, which is

1 the knowing communication of false facts about evidence.

2 (1.5) The right to notice and to a hearing before a
3 court ruling on a request for access to any of the victim's
4 records, information, or communications which are
5 privileged or confidential by law.

6 (1.6) Except as otherwise provided in Section 9.5 of
7 the Criminal Identification Act or Section 3-3013 of the
8 Counties Code, whenever a person's DNA profile is
9 collected due to the person being a victim of a crime, as
10 identified by law enforcement, that specific profile
11 collected in conjunction with that criminal investigation
12 shall not be entered into any DNA database. Nothing in
13 this paragraph (1.6) shall be interpreted to contradict
14 rules and regulations developed by the Federal Bureau of
15 Investigation relating to the National DNA Index System or
16 Combined DNA Index System.

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

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

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

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

26 (6) The right to the timely disposition of the case

1 following the arrest of the accused.

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

4 (7.5) The right to have the safety of the victim and
5 the victim's family considered in determining whether to
6 release the defendant and setting conditions of release
7 after arrest and conviction.

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

13 (9) The right to have present at all court
14 proceedings, including proceedings under the Juvenile
15 Court Act of 1987, subject to the rules of evidence, an
16 advocate and other support person of the victim's choice.

17 (10) The right to restitution.

18 (b) Any law enforcement agency that investigates an
19 offense committed in this State shall provide a crime victim
20 with a written statement and explanation of the rights of
21 crime victims under this amendatory Act of the 99th General
22 Assembly within 48 hours of law enforcement's initial contact
23 with a victim. The statement shall include information about
24 crime victim compensation, including how to contact the Office
25 of the Illinois Attorney General to file a claim, and
26 appropriate referrals to local and State programs that provide

1 victim services. The content of the statement shall be
2 provided to law enforcement by the Attorney General. Law
3 enforcement shall also provide a crime victim with a sign-off
4 sheet that the victim shall sign and date as an
5 acknowledgement that he or she has been furnished with
6 information and an explanation of the rights of crime victims
7 and compensation set forth in this Act.

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

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

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

25 (Source: P.A. 103-792, eff. 1-1-25.)".