



Sen. Kwame Raoul

Filed: 4/7/2016

09900SB0203sam001

LRB099 03373 HEP 47031 a

1 AMENDMENT TO SENATE BILL 203

2 AMENDMENT NO. _____. Amend Senate Bill 203 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Torture Inquiry and Relief
5 Commission Act is amended by changing Sections 5, 35, and 70 as
6 follows:

7 (775 ILCS 40/5)

8 Sec. 5. Definitions. As used in this Act:

9 (1) "Claim of torture" means a claim on behalf of a living
10 person convicted of a felony in Illinois asserting that he was
11 tortured into confessing to the crime for which the person was
12 convicted and the tortured confession was used to obtain the
13 conviction and for which there is some credible evidence
14 related to allegations of torture occurring within a county of
15 more than 3,000,000 inhabitants ~~committed by Commander Jon~~
16 ~~Burge or any officer under the supervision of Jon Burge.~~

1 (2) "Commission" means the Illinois Torture Inquiry and
2 Relief Commission established by this Act.

3 (3) "Convicted person" means the person making a claim of
4 torture under this Act.

5 (4) "Director" means the Director of the Illinois Torture
6 Inquiry and Relief Commission.

7 (5) "Victim" means the victim of the crime, or if the
8 victim of the crime is deceased, the next of kin of the victim,
9 which shall be the parent, spouse, child, or sibling of the
10 deceased victim.

11 (Source: P.A. 96-223, eff. 8-10-09.)

12 (775 ILCS 40/35)

13 Sec. 35. Duties. The Commission shall have the following
14 duties and powers:

15 (1) To establish the criteria and screening process to
16 be used to determine which cases shall be accepted for
17 review.

18 (2) To conduct inquiries into claims of torture ~~with~~
19 ~~priority to be given to those cases in which the convicted~~
20 ~~person is currently incarcerated solely for the crime to~~
21 ~~which he or she claims torture by Jon Burge or officers~~
22 ~~under his command, or both.~~

23 (3) To coordinate the investigation of cases accepted
24 for review.

25 (4) To maintain records for all case investigations.

1 (5) To prepare written reports outlining Commission
2 investigations and recommendations to the trial court at
3 the completion of each inquiry.

4 (6) To apply for and accept any funds that may become
5 available for the Commission's work from government
6 grants, private gifts, donations, or bequests from any
7 source.

8 (Source: P.A. 96-223, eff. 8-10-09.)

9 (775 ILCS 40/70)

10 Sec. 70. Filing of claims. This Act applies to claims of
11 torture filed not later than 10 ~~5~~ years after the effective
12 date of this Act.

13 (Source: P.A. 96-223, eff. 8-10-09.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.".