

HB3665



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3665

Introduced 2/18/2025, by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

725 ILCS 120/4

from Ch. 38, par. 1404

Amends the Rights of Crime Victims and Witnesses Act. Provides that the written statement and explanation of the rights of crime victims provided by a law enforcement agency that investigates an offense committed in the State to a crime victim shall include the ability to file a complaint against an individual who is licensed by the Department of Financial and Professional Regulation.

LRB104 11293 RLC 21379 b

A BILL FOR

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

17 (1.6) Except as otherwise provided in Section 9.5 of
18 the Criminal Identification Act or Section 3-3013 of the
19 Counties Code, whenever a person's DNA profile is
20 collected due to the person being a victim of a crime, as
21 identified by law enforcement, that specific profile
22 collected in conjunction with that criminal investigation
23 shall not be entered into any DNA database. Nothing in

1 this paragraph (1.6) shall be interpreted to contradict
2 rules and regulations developed by the Federal Bureau of
3 Investigation relating to the National DNA Index System or
4 Combined DNA Index System.

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

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

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

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

14 (6) The right to the timely disposition of the case
15 following the arrest of the accused.

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

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

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

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

(10) The right to restitution.

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

(b-5) Upon the request of the victim, the law enforcement agency having jurisdiction shall provide a free copy of the police report concerning the victim's incident, as soon as

1 practicable, but in no event later than 5 business days from
2 the request.

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

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

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