

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 Children's Advocacy Center Act is amended
5 by changing Sections 2.5 and 4 as follows:

6 (55 ILCS 80/2.5)

7 Sec. 2.5. Definitions. As used in this Section:

8 "Accreditation" means the process in which certification
9 of competency, authority, or credibility is presented by
10 standards set by the National Children's Alliance to ensure
11 effective, efficient, and consistent delivery of services by a
12 CAC.

13 "Child maltreatment" includes any act or occurrence, as
14 defined in Section 5 of the Criminal Code of 2012, under the
15 Children and Family Services Act or the Juvenile Court Act of
16 1987 involving either a child victim or child witness.

17 "Children's Advocacy Center" or "CAC" is a child-focused,
18 trauma-informed, facility-based program in which
19 representatives from law enforcement, child protection,
20 prosecution, mental health, forensic interviewing, medical,
21 and victim advocacy disciplines collaborate to interview
22 children, meet with a child's parent or parents, caregivers,
23 and family members, and make team decisions about the

1 investigation, prosecution, safety, treatment, and support
2 services for child maltreatment cases.

3 "Children's Advocacy Centers of Illinois" or "CACI" is a
4 state chapter of the National Children's Alliance ("NCA") and
5 organizing entity for Children's Advocacy Centers in the State
6 of Illinois. It defines membership and engages member CACs in
7 the NCA accreditation process and collecting and sharing of
8 data, and provides training, leadership, and technical
9 assistance to existing and emerging CACs in the State.

10 "Electronic recording" includes a motion picture,
11 audiotape, videotape, or digital recording.

12 "Forensic interview" means an interview between a trained
13 forensic interviewer, as defined by NCA standards, and a child
14 in which the interviewer obtains information from children in
15 an unbiased and fact finding manner that is developmentally
16 appropriate and culturally sensitive to support accurate and
17 fair decision making by the multidisciplinary team in the
18 criminal justice and child protection systems. Whenever
19 practical, all parties involved in investigating reports of
20 child maltreatment shall observe the interview, which shall be
21 electronically recorded.

22 "Forensic interview transcription" means a verbatim
23 transcript of a forensic interview for the purpose of
24 translating the interview into another language.

25 "Multidisciplinary team" or "MDT" means a group of
26 professionals working collaboratively under a written

1 protocol, who represent various disciplines from the point of
2 a report of child maltreatment to assure the most effective
3 coordinated response possible for every child. MDT members
4 shall access and share relevant information related to an
5 investigation to the extent authorized by applicable State and
6 federal privacy and confidentiality laws, so that
7 professionals involved in the investigation can coordinate
8 effectively, ensure the safety and well-being of the child,
9 and support a thorough and informed investigation while
10 protecting sensitive information. ~~Employees from each~~
11 ~~participating entity shall be included on the MDT.~~ A CAC's MDT
12 must include professionals involved in the ~~coordination,~~
13 investigation, and prosecution of child abuse and
14 professionals, such as victim advocates, involved in the
15 coordination of care for and treatment of victims~~cases,~~
16 including the CAC's staff, participating law enforcement
17 agencies, the county state's attorney, ~~and~~ the Illinois
18 Department of Children and Family Services, and specialized
19 medical and mental health providers ~~must include professionals~~
20 ~~involved in the delivery of services to victims of child~~
21 ~~maltreatment and non-offending parent or parents, caregiver,~~
22 ~~and their families.~~ MDT members shall coordinate, communicate,
23 and keep non-offending parents and caregivers and their
24 families aware of the status of the investigation.

25 "National Children's Alliance" or "NCA" means the
26 professional membership organization dedicated to helping

1 local communities respond to allegations of child abuse in an
2 effective and efficient manner. NCA provides training,
3 support, technical assistance and leadership on a national
4 level to state and local CACs and communities responding to
5 reports of child maltreatment. NCA is the national
6 organization that provides the standards for CAC
7 accreditation.

8 "Protocol" means a written methodology defining the
9 responsibilities of each of the MDT members in the
10 investigation and prosecution of child maltreatment within a
11 defined jurisdiction. Written protocols are signed documents
12 and are reviewed and/or updated annually, at a minimum, by a
13 CAC's Advisory Board.

14 (Source: P.A. 101-81, eff. 7-12-19; 101-236, eff. 1-1-20.)

15 (55 ILCS 80/4) (from Ch. 23, par. 1804)

16 Sec. 4. Children's Advocacy Center.

17 (a) Children's Advocacy Centers shall ~~A CAC may~~ be
18 established to coordinate the activities of the various
19 agencies involved in the investigation, prosecution and
20 treatment of child maltreatment. The individual county or
21 regional Advisory Board shall set the written protocol of the
22 CAC within the appropriate jurisdiction. The operation of the
23 CAC may be funded through public or private grants, contracts,
24 donations, fees, and other available sources under this Act.
25 Each CAC shall operate to the best of its ability in accordance

1 with available funding. In counties in which a referendum has
2 been adopted under Section 5 of this Act, the Advisory Board,
3 by the majority vote of its members, shall submit a proposed
4 annual budget for the operation of the CAC to the county board,
5 which shall appropriate funds and levy a tax sufficient to
6 operate the CAC. The county board in each county in which a
7 referendum has been adopted shall establish a Children's
8 Advocacy Center Fund and shall deposit the net proceeds of the
9 tax authorized by Section 6 of this Act in that Fund, which
10 shall be kept separate from all other county funds and shall
11 only be used for the purposes of this Act.

12 (b) The Advisory Board shall pay from the Children's
13 Advocacy Center Fund or from other available funds the
14 salaries of all employees of the Center and the expenses of
15 acquiring a physical plant for the Center by construction or
16 lease and maintaining the Center, including the expenses of
17 administering the coordination of the investigation,
18 prosecution and treatment referral of child maltreatment under
19 the provisions of the protocol adopted pursuant to this Act.

20 (b-1) Recognizing the pivotal role of CACs in providing
21 comprehensive support to trafficked children and youth, each
22 CAC shall:

23 (1) ensure that each county's multidisciplinary
24 ~~multi-disciplinary~~ team protocol includes a response to
25 allegations of human trafficking;

26 (2) increase the capacity of each multidisciplinary

1 ~~multi-disciplinary~~ team to identify, assess, and serve
2 trafficked children and youth;

3 (3) facilitate collaboration between the CAC, law
4 enforcement, child welfare agencies, health care
5 providers, and other pertinent stakeholders to ensure a
6 synchronized and trauma-informed response to trafficked
7 children and youth;

8 (4) ensure all CAC employees and contractors treating,
9 interviewing, or coming in contact with victims receive
10 training on victim-centered, trauma-informed response to
11 child and youth victims of human trafficking, including
12 identifying and addressing the unique needs of trafficked
13 children and youth, thereby enabling access to appropriate
14 support services and legal remedies; and

15 (5) work with the Department of Human Services to
16 establish standards for victim-centered, trauma-informed
17 training for CACs and members of multidisciplinary
18 ~~multi-disciplinary~~ teams.

19 (c) Every CAC shall include at least the following
20 components:

21 (1) A multidisciplinary, coordinated systems approach
22 to the investigation of child maltreatment, which shall
23 include, at a minimum:

24 (i) a comprehensive ~~an~~ interagency notification
25 procedure for all MDT partners;

26 (ii) a policy on multidisciplinary team

1 collaboration and communication that requires
2 coordination among applicable MDT members and
3 establishes procedures for the exchange of information
4 ~~requires MDT members share information~~ pertinent to
5 investigations and the safety of the child to the
6 extent permitted under applicable state and federal
7 privacy and confidentiality laws, through secure and
8 confidential methods. The policy shall require that
9 MDT members have access to and share relevant
10 information related to an investigation to the extent
11 authorized by applicable State and federal privacy and
12 confidentiality laws, to facilitate MDT coordination,
13 support the investigative responsibilities of the
14 agencies with statutory authority, promote the safety
15 and well-being of the child, and support a thorough
16 and informed investigation while protecting sensitive
17 information ~~children;~~

18 (iii) (blank);

19 (iv) a description of the role each agency has in
20 responding to a referral for services in an individual
21 case;

22 (v) a dispute resolution process between the
23 involved agencies when a conflict arises on how to
24 proceed on the referral of a particular case;

25 (vi) a process for the CAC to assist in the
26 forensic interview of children that witness alleged

1 crimes;

2 (vii) a child-friendly, trauma-informed ~~trauma~~
3 ~~informed~~ space for children and their non-offending
4 family members;

5 (viii) an MDT approach including law enforcement,
6 prosecution, medical, mental health, victim advocacy,
7 the Department of Children and Family Services, and
8 other community resources, and, if appropriate, school
9 personnel;

10 (ix) medical evaluation on-site or off-site
11 through referral;

12 (x) mental health services on-site or off-site
13 through referral;

14 (xi) on-site forensic interviews;

15 (xii) culturally competent services;

16 (xiii) case tracking and review;

17 (xiv) case staffing on each investigation;

18 (xv) effective organizational capacity; ~~and~~

19 (xvi) a policy or procedure to familiarize a child
20 and his or her non-offending family members or
21 guardians with the court process as well as
22 preparations for testifying in court, if necessary;
23 and

24 (xvii) participation of appropriate MDT members,
25 as relevant to the circumstances of the case;

26 (2) A safe, separate space with assigned personnel

1 designated for the investigation and coordination of child
2 maltreatment cases;

3 (3) A multidisciplinary case review process for
4 purposes of decision-making, problem solving, systems
5 coordination, and information sharing;

6 (4) A comprehensive client tracking system to receive
7 and coordinate information concerning child maltreatment
8 cases from each participating agency;

9 (5) Multidisciplinary specialized training for all
10 professionals involved with the victims and non-offending
11 family members in child maltreatment cases; and

12 (6) A process for evaluating the effectiveness of the
13 CAC and its operations.

14 (d) In the event that a CAC has been established as
15 provided in this Section, the Advisory Board of that CAC may,
16 by a majority vote of the members, authorize the CAC to
17 coordinate the activities of the various agencies involved in
18 the investigation, prosecution, and treatment referral in
19 cases of serious or fatal injury to a child. For CACs receiving
20 funds under Section 5 or 6 of this Act, the Advisory Board
21 shall provide for the financial support of these activities in
22 a manner similar to that set out in subsections (a) and (b) of
23 this Section and shall be allowed to submit a budget that
24 includes support for physical abuse and neglect activities to
25 the County Board, which shall appropriate funds that may be
26 available under Section 5 of this Act. In cooperation with the

1 Department of Children and Family Services Child Death Review
2 Teams, the Department of Children and Family Services Office
3 of the Inspector General, and other stakeholders, this
4 protocol must be initially implemented in selected counties to
5 the extent that State appropriations or funds from other
6 sources for this purpose allow.

7 (e) CACI may also provide technical assistance and
8 guidance to the Advisory Boards.

9 (e-5) CACI shall convene an annual meeting of statewide
10 leadership from each MDT discipline to review data, discuss
11 and analyze findings, and work collaboratively to identify
12 service gaps and opportunities for process improvements. CACI
13 shall create a report that summarizes discussion at the annual
14 meeting and shall share the report with the leadership of MDT
15 partners and other agencies and publish the report on CACI's
16 website.

17 (f) In this Section:

18 "Child" or "children" refers to persons under 18 years of
19 age.

20 "Youth" means persons between the ages of 18 and 24 years.
21 (Source: P.A. 104-159, eff. 1-1-26.)

22 Section 10. The Criminal Code of 2012 is amended by
23 changing Section 12C-5 as follows:

24 (720 ILCS 5/12C-5) (was 720 ILCS 5/12-21.6)

1 Sec. 12C-5. Endangering the life or health of a child.

2 (a) A person commits endangering the life or health of a
3 child when he or she knowingly: (1) causes or permits the life
4 or health of a child under the age of 18 to be endangered; or
5 (2) causes or permits a child to be placed in circumstances
6 that endanger the child's life or health. It is not a violation
7 of this Section for a person to relinquish a child in
8 accordance with the Abandoned Newborn Infant Protection Act.

9 (b) A trier of fact may infer that a child 6 years of age
10 or younger is unattended if that child is left in a motor
11 vehicle for more than 10 minutes.

12 (c) "Unattended" means either: (i) not accompanied by a
13 person 14 years of age or older; or (ii) if accompanied by a
14 person 14 years of age or older, out of sight of that person.

15 (d) Sentence. Except as otherwise provided in this
16 subsection, a ~~A~~ violation of this Section is a Class A
17 misdemeanor. ~~A second or subsequent violation of this Section~~
18 A person who is convicted of a second or subsequent violation
19 of this Section is guilty of a Class 3 felony. A person who is
20 convicted of a violation of this Section after having
21 previously been convicted under the laws of any other state of
22 an offense that is substantially equivalent to the offense of
23 endangering the life or health of a child, is guilty of ~~is~~ a
24 Class 3 felony. A violation of this Section that is a proximate
25 cause of the death of the child is a Class 3 felony for which a
26 person, if sentenced to a term of imprisonment, shall be

1 sentenced to a term of not less than 2 years and not more than
2 10 years. A parent, who is found to be in violation of this
3 Section with respect to his or her child, may be sentenced to
4 probation for this offense pursuant to Section 12C-15.

5 (Source: P.A. 97-1109, eff. 1-1-13.)

6 Section 15. The Bill of Rights for Children is amended by
7 changing Section 3.5 as follows:

8 (725 ILCS 115/3.5)

9 Sec. 3.5. Right to forensic interview with children's
10 advocacy center.

11 (a) In this Section:

12 "Child" means a person under 18 years of age.

13 "Youth" means a person between the ages of 18 and 24 years.

14 (b) Every child reported to the Department of Children and
15 Family Services or law enforcement to be a victim of sexual
16 assault or sexual abuse, trafficking in persons, involuntary
17 servitude, and related offenses, whose case is accepted by
18 either agency for investigation has the right to have that
19 child's forensic interview conducted by a forensic interviewer
20 from a children's advocacy center accredited according to the
21 Children's Advocacy Center Act and serving the child's area or
22 jurisdiction where the incident(s) occurred, when such service
23 is accessible based on the CAC's available resources. The
24 agency with statutory investigative authority shall notify the

1 child, in a manner that is developmentally appropriate and
2 consistent with the child's capacity to understand, of the
3 child's right to receive a forensic interview through a CAC.

4 This right may be asserted by the child or, when appropriate
5 based on the child's developmental capacity, by the child's
6 parent or guardian with the child's assent. The agency may
7 also notify the child's parent or guardian of this right,
8 unless the agency determines that the notification would
9 conflict with the child's expressed wishes, would be

10 inconsistent with the child's developmental capacity, or would
11 deter the child from participating in the investigation. If
12 the agency with statutory investigating authority is a law
13 enforcement agency, then the law enforcement agency shall not
14 notify the parent or guardian of a child 13 years of age or
15 older, unless the law enforcement agency confirms that the
16 notification would not conflict with the child's expressed
17 wishes. The child may request the presence of a support person
18 when notice is given under this Section. ~~informing the~~

19 ~~investigating personnel at the Department of Children and~~
20 ~~Family Services or the law enforcement agency that the parent~~
21 ~~or guardian wants the child to have the child's interview~~
22 ~~conducted by the children's advocacy center.~~ Each local CAC
23 protocol will outline a process to address situations in which
24 it is deemed not possible for a forensic interview to occur, to
25 ensure a trauma-informed response with follow up services from
26 the CAC.

(Source: P.A. 102-477, eff. 1-1-22.)

Section 20. The Privacy of Child Victims of Criminal Sexual Offenses Act is amended by changing Section 3 as follows:

(725 ILCS 190/3) (from Ch. 38, par. 1453)

Sec. 3. Confidentiality of law enforcement and court records. Notwithstanding any other law to the contrary, inspection and copying of law enforcement records maintained by any law enforcement agency or all circuit court records maintained by any circuit clerk relating to any investigation or proceeding pertaining to a criminal sexual offense, by any person, except a judge, state's attorney, assistant state's attorney, Attorney General, Assistant Attorney General, psychologist, psychiatrist, social worker, doctor, non-offending parent or guardian, parole agent, aftercare specialist, probation officer, multidisciplinary team member, as defined in the Children's Advocacy Center Act, defendant, defendant's attorney, advocate, or victim's attorney (as defined in Section 3 of the Rights of Crime Victims and Witnesses Act) in any criminal proceeding or investigation related thereto, shall be restricted to exclude the identity of any child who is a victim of such criminal sexual offense or alleged criminal sexual offense unless a court order is issued authorizing the removal of such restriction as provided under

1 this Section of a particular case record or particular records
2 of cases maintained by any circuit court clerk. A court may,
3 for the child's protection and for good cause shown, prohibit
4 any person or agency present in court from further disclosing
5 the child's identity.

6 A court may prohibit such disclosure only after giving
7 notice and a hearing to all affected parties. In determining
8 whether to prohibit disclosure of the minor's identity, the
9 court shall consider:

10 (1) the best interest of the child; and

11 (2) whether such nondisclosure would further a
12 compelling State interest.

13 When a criminal sexual offense is committed or alleged to
14 have been committed by a school district employee or any
15 individual contractually employed by a school district, a copy
16 of the criminal history record information relating to the
17 investigation of the offense or alleged offense shall be
18 transmitted to the superintendent of schools of the district
19 immediately upon request or if the law enforcement agency
20 knows that a school district employee or any individual
21 contractually employed by a school district has committed or
22 is alleged to have committed a criminal sexual offense, the
23 superintendent of schools of the district shall be immediately
24 provided a copy of the criminal history record information.
25 The copy of the criminal history record information to be
26 provided under this Section shall exclude the identity of the

1 child victim. The superintendent shall be restricted from
2 revealing the identity of the victim. Nothing in this Article
3 precludes or may be used to preclude a mandated reporter from
4 reporting child abuse or child neglect as required under the
5 Abused and Neglected Child Reporting Act.

6 For the purposes of this Act, "criminal history record
7 information" means:

8 (i) chronologically maintained arrest information,
9 such as traditional arrest logs or blotters;

10 (ii) the name of a person in the custody of a law
11 enforcement agency and the charges for which that person
12 is being held;

13 (iii) court records that are public, as defined in
14 paragraph (1) of subsection (b) of Section 5 of the Court
15 Record and Document Accessibility Act;

16 (iv) records that are otherwise available under State
17 or local law; or

18 (v) records in which the requesting party is the
19 individual identified, except as provided under part (vii)
20 of paragraph (c) of subsection (1) of Section 7 of the
21 Freedom of Information Act.

22 (Source: P.A. 102-651, eff. 1-1-22; 102-813, eff. 5-13-22;
23 103-166, eff. 1-1-24.)