



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1389

Introduced 1/31/2023, by Rep. Jackie Haas

SYNOPSIS AS INTRODUCED:

720 ILCS 5/31-4

from Ch. 38, par. 31-4

Amends the Criminal Code of 2012. Provides that a person also obstructs justice when, with intent to prevent the apprehension or obstruct the prosecution or defense of any person, he or she knowingly takes a body camera or any part of a body camera from a person known to be a peace officer. Provides that a violation, if the body camera or any part of the body camera is taken from the peace officer during the commission of an offense that has caused great bodily harm to the officer or another person, is a Class 1 felony. Provides that any other violation of this provision is a Class 2 felony.

LRB103 05219 RJT 50235 b

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 Criminal Code of 2012 is amended by
5 changing Section 31-4 as follows:

6 (720 ILCS 5/31-4) (from Ch. 38, par. 31-4)

7 Sec. 31-4. Obstructing justice.

8 (a) A person obstructs justice when, with intent to
9 prevent the apprehension or obstruct the prosecution or
10 defense of any person, he or she knowingly commits any of the
11 following acts:

12 (1) destroys ~~Destroys~~, alters, conceals or disguises
13 physical evidence, plants false evidence, furnishes false
14 information; ~~or~~

15 (2) induces ~~Induces~~ a witness having knowledge
16 material to the subject at issue to leave the State or
17 conceal himself or herself; ~~or~~

18 (3) possessing ~~Possessing~~ knowledge material to the
19 subject at issue, he or she leaves the State or conceals
20 himself; ~~or~~

21 (4) if ~~If~~ a parent, legal guardian, or caretaker of a
22 child under 13 years of age reports materially false
23 information to a law enforcement agency, medical examiner,

1 coroner, State's Attorney, or other governmental agency
2 during an investigation of the disappearance or death of a
3 child under circumstances described in subsection (a) or
4 (b) of Section 10-10 of this Code; or -

5 (5) takes a body camera or any part of a body camera
6 from a person known to be a peace officer.

7 (b) Sentence.

8 (1) Obstructing justice is a Class 4 felony, except as
9 provided in paragraphs ~~paragraph~~ (2) and (3) of this
10 subsection (b).

11 (2) Obstructing justice in furtherance of streetgang
12 related or gang-related activity, as defined in Section 10
13 of the Illinois Streetgang Terrorism Omnibus Prevention
14 Act, is a Class 3 felony.

15 (3) A violation of paragraph (5) of subsection (a), if
16 the body camera or any part of the body camera is taken
17 from the peace officer during the commission of an offense
18 that has caused great bodily harm to the officer or
19 another person, is a Class 1 felony. Any other violation
20 of paragraph (5) of subsection (a) is a Class 2 felony.

21 (Source: P.A. 97-1079, eff. 1-1-13.)