

1 AN ACT in relation to criminal law.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Code of Criminal Procedure of 1963 is  
5 amended by adding Section 103-10 as follows:

6 (725 ILCS 5/103-10 new)

7 Sec. 103-10. Ascertaining suspect's mental capacity in  
8 homicide cases. Before conducting an interrogation of a  
9 suspect in a homicide case, the peace officer shall make a  
10 reasonable attempt to determine the suspect's mental capacity  
11 and if the suspect reasonably appears to the officer to be  
12 mentally retarded, the peace officer may only ask the suspect  
13 nonleading questions and shall be prohibited from conveying  
14 to the suspect the impression that the officer believes that  
15 the suspect is guilty of the homicide.