



Rep. Richard P. Myers

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09300HB6289ham001

LRB093 14604 RLC 49236 a

1 AMENDMENT TO HOUSE BILL 6289

2 AMENDMENT NO. _____. Amend House Bill 6289 by replacing
3 the title with the following:

4 "AN ACT in relation to crime stoppers programs."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 1. Short title. This Act may be cited as the
8 Crime Stoppers Program Act.

9 Section 5. Definition. In this Act, "crime stoppers
10 program" means a program that meets each of the following
11 requirements:

12 (a) The purpose of the program is to obtain information on
13 persons wanted for crimes, felony crimes, and other criminal
14 activity.

15 (b) The program has a law enforcement coordinator who
16 forwards information obtained by the program to the appropriate
17 law enforcement agency.

18 (c) The program allows the person submitting information to
19 remain anonymous.

20 (d) The program operates in conjunction with a law
21 enforcement agency or Office of the State's Attorney.

22 (e) The program has a civilian board of directors, is
23 incorporated in the State of Illinois, and is certified by the

1 Illinois State Crime Stoppers Association.

2 Section 10. Certification of programs. The Illinois State
3 Crime Stoppers Association shall certify crime stoppers
4 programs in this State. On and after the effective date of this
5 Act, a person or agency that is not a certified crime stoppers
6 program may not use the name "crime stoppers". The Attorney
7 General may enforce this Section through injunctive or other
8 appropriate relief.

9 Section 105. The Code of Civil Procedure is amended by
10 adding Section 8-802.3 as follows:

11 (735 ILCS 5/8-802.3 new)

12 Sec. 8-802.3. Identity of person who submits information to
13 a crime stoppers program or the phone records of a crime
14 stoppers program; privileged.

15 (a) The identity of a person who submits information of a
16 criminal act to a crime stoppers program is privileged
17 information and may not be disclosed in any judicial proceeding
18 unless the nondisclosure will infringe the constitutional
19 rights of the accused. If disclosure of privileged information
20 is sought, a hearing shall be required before that privileged
21 material is disclosed. The party seeking disclosure of
22 privileged information has the burden of proving by clear and
23 convincing evidence at the hearing that the production of the
24 privileged information is necessary to ensure the
25 constitutional rights of the accused.

26 (b) Telephone records of a crime stoppers program are
27 privileged information and are not subject to disclosure by
28 subpoena or other means unless the nondisclosure will infringe
29 the constitutional rights of the accused. Before telephone
30 records can be disclosed by subpoena or other means, a hearing
31 shall be held and the party seeking the records has the burden

1 of proving by clear and convincing evidence that the disclosure
2 of telephone records is necessary to ensure the constitutional
3 rights of the accused.".