

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

6 (725 ILCS 190/3) (from Ch. 38, par. 1453)

7 Sec. 3. Confidentiality of Law Enforcement and Court
8 Records. Notwithstanding ~~notwithstanding~~ any other law to the
9 contrary, inspection and copying of law enforcement records
10 maintained by any law enforcement agency or circuit court
11 records maintained by any circuit clerk relating to any
12 investigation or proceeding pertaining to a criminal sexual
13 offense, by any person, except a judge, state's attorney,
14 assistant state's attorney, psychologist, psychiatrist, social
15 worker, doctor, parent, parole agent, probation officer,
16 defendant or defendant's attorney in any criminal proceeding or
17 investigation related thereto, shall be restricted to exclude
18 the identity of any child who is a victim of such criminal
19 sexual offense or alleged criminal sexual offense. A court may
20 for the child's protection and for good cause shown, prohibit
21 any person or agency present in court from further disclosing
22 the child's identity.

23 When a criminal sexual offense is committed or alleged to

1 have been committed by a school district employee on the
2 premises under the jurisdiction of a public school district or
3 during an official school sponsored activity, a copy of the law
4 enforcement records maintained by any law enforcement agency or
5 circuit court records maintained by any circuit clerk relating
6 to the investigation of the offense or alleged offense shall be
7 made available for inspection and copying by the superintendent
8 of schools of the district. The superintendent shall be
9 restricted from specifically revealing the name of the victim
10 without written consent of the victim or victim's parent or
11 guardian.

12 A court may prohibit such disclosure only after giving
13 notice and a hearing to all affected parties. In determining
14 whether to prohibit disclosure of the minor's identity the
15 court shall consider:

- 16 (a) the best interest of the child; and
17 (b) whether such nondisclosure would further a
18 compelling State interest.

19 (Source: P.A. 87-553.)