



Support HB 4788

Allows victims clear ways to enforce their crime victims' rights and provides for a consultation with the prosecutor about a decision not to charge

Status: Referred to Rules

House Sponsors: Rep. Kalish (D-16), Rep. Cassidy (D-14), Rep. Morgan (D-58), Rep. Didech (D-59), Rep. Mason (D-61), Rep. Batinick (R-97), Rep. Deb Conroy (D-46), Rep. Terra Costa Howard (D-48), and Rep. Diane Pappas (D-45).

What Does the Bill Do?

HB 4788 provides victims with the right to timely notice regarding charging decisions and a meeting with the State's Attorney to discuss the charging decision with an attorney, advocate and/or support person allowed to join them (similar to the consultation that is currently required for plea bargains). It also clarifies that the victim can seek injunctive relief to enforce crime victims' rights and not be charged a filing fee for that motion. It also provides a civil cause of action for a victim when state officials willfully or wantonly violate a victim's rights.

Illinois granted constitutional rights to crime victims. It is important that the law support those rights and provide clear paths for enforcing them.

Why Is This Important for Sexual Assault Survivors?

- Advocates report that survivors are being denied crime victims' rights, such as protections for confidential counseling records, notice of court dates, and victim statements at sentencing. There is no clear course of action for enforcing these rights. This bill would make it clear that the victim may file a motion for injunctive relief to enforce their rights, as well as a civil cause of action if the violations by state officials are willful and wanton and not corrected when given written notice.
- Many sexual assault crimes are not prosecuted. Survivors deserve the right to timely notice regarding this decision and the right to have a meeting with the State's Attorney about the decision.
- Survivors deserve to have an advocate and/or support person with them at the charge meeting if they choose. Denying a survivor an advocate at the time when they learn that charges will not be filed can be traumatic.

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