



Support HB 3534

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: Do Pass as Amended / Consent Calendar
Judicial - Criminal Committee 019-000-000
House Sponsor: Rep. Kelly Cassidy (D-14)**

What Does HB 3534 Do?

HB 3534 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 establishes a process for prosecutors who seek the victim's confidential records without the victim's consent. It also clarifies that the victim can seek injunctive, mandamus, or declaratory relief to enforce crime victims' rights and not be charged a filing fee for that motion.

Why Is HB 3534 Important for Sexual Assault Survivors?

- 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 seek judicial intervention to enforce their rights.
- 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. For the majority of survivors this will be their only opportunity to be heard by a representative of the criminal justice system
- 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.

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

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