



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1781

Introduced 2/5/2025, by Sen. Craig Wilcox

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois State Police Law of the Civil Administrative Code of Illinois and the Illinois Police Training Act. Provides that State police officers and local police officers shall receive training in homicide investigations in which the victims were suspected of being subject to domestic abuse. Amends the Counties Code. Provides that every coroner, whenever, as soon as he or she knows or is informed that the dead body of any person is found, or lying within his or her county, whose death is suspected of being a death, if the circumstances surrounding the death is known or suspected as due to suicide and affords a reasonable basis to suspect that the death was caused by or related to the domestic violence of another, in consultation with a board-certified forensic pathologist certified by the American Board of Pathology, shall go to the place where the dead body is and take charge of the same and shall make a preliminary investigation into the circumstances of the death. Amends the Code of Criminal Procedure of 1963. Adds the Investigation of Homicides of Decedents with Identifiable History of Being Victimized by Domestic Violence Article to the Code. Provides that prior to making any findings as to the manner and cause of death of a deceased individual with an identifiable history of being victimized by domestic violence, and with the presence of 3 or more specified factors, law enforcement investigators shall interview family members, such as parents, siblings, or other close friends or relatives of the decedent with relevant information regarding that history of domestic violence. Lists those factors that law enforcement investigators must consider in those investigations. Provides that sworn law enforcement personnel investigating a death if it has been determined that the decedent has an identifiable history of being victimized by domestic violence shall be current in their training related to domestic violence incidents, including training required pursuant to the Illinois State Police Law of the Civil Administrative Code of Illinois or the Illinois Police Training Act. Defines terms. Amends the Autopsy Act to make conforming changes.

LRB104 07511 RLC 17555 b

1 AN ACT concerning deaths of victims of domestic violence.

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

4 Section 1. Findings.

5 (a) The General Assembly finds all of the following:

6 (1) Suspicious death cases, when there is a history of  
7 being victimized by domestic violence, are inadequately  
8 investigated at times, when a premature decision is made  
9 to determine the cause of death as suicide even before a  
10 comprehensive investigation has been completed by law  
11 enforcement professionals.

12 (2) Domestic violence-related homicides are highly  
13 susceptible to staging or alteration of the death scene  
14 before investigators can conduct a scene investigation,  
15 which hampers the responsibilities of the coroner or  
16 medical examiner and compromises the ability of  
17 investigators to evaluate death cases adequately.

18 (3) Research has identified 10 red flag markers in  
19 suspicious death cases, when there is a history of being  
20 victimized by domestic violence, that should be evaluated  
21 in any death investigation.

22 (4) An independent right of family members of homicide  
23 victims has been created in federal law to obtain  
24 information, access victim services, and request an

1 independent review of initial findings or the  
2 investigation of the death of their family member but the  
3 law applies only to those cases under federal  
4 jurisdiction.

5 (b) It is the intent of the General Assembly to provide  
6 victim services and support to family members in suspicious  
7 death cases and support family members who seek a second  
8 opinion on the death of their loved one at no cost to any  
9 public agency whenever practicable.

10 Section 5. The Illinois State Police Law of the Civil  
11 Administrative Code of Illinois is amended by changing Section  
12 2605-51 as follows:

13 (20 ILCS 2605/2605-51)

14 Sec. 2605-51. Division of the Academy and Training.

15 (a) The Division of the Academy and Training shall  
16 exercise, but not be limited to, the following functions:

17 (1) Oversee and operate the Illinois State Police  
18 Training Academy.

19 (2) Train and prepare new officers for a career in law  
20 enforcement, with innovative, quality training and  
21 educational practices.

22 (3) Offer continuing training and educational programs  
23 for Illinois State Police employees.

24 (4) Oversee the Illinois State Police's recruitment

1 initiatives.

2 (5) Oversee and operate the Illinois State Police's  
3 quartermaster.

4 (6) Duties assigned to the Illinois State Police in  
5 Article 5, Chapter 11 of the Illinois Vehicle Code  
6 concerning testing and training officers on the detection  
7 of impaired driving.

8 (7) Duties assigned to the Illinois State Police in  
9 Article 108B of the Code of Criminal Procedure.

10 (a-5) Successful completion of the Illinois State Police  
11 Academy satisfies the minimum standards pursuant to  
12 subsections (a), (b), and (d) of Section 7 of the Illinois  
13 Police Training Act and exempts State police officers from the  
14 Illinois Law Enforcement Training Standards Board's State  
15 Comprehensive Examination and Equivalency Examination.  
16 Satisfactory completion shall be evidenced by a commission or  
17 certificate issued to the officer.

18 (b) The Division of the Academy and Training shall  
19 exercise the rights, powers, and duties vested in the former  
20 Division of State Troopers by Section 17 of the Illinois State  
21 Police Act.

22 (c) Specialized training.

23 (1) Training; cultural diversity. The Division of the  
24 Academy and Training shall provide training and continuing  
25 education to State police officers concerning cultural  
26 diversity, including sensitivity toward racial and ethnic

1 differences. This training and continuing education shall  
2 include, but not be limited to, an emphasis on the fact  
3 that the primary purpose of enforcement of the Illinois  
4 Vehicle Code is safety and equal and uniform enforcement  
5 under the law.

6 (2) Training; death and homicide investigations. The  
7 Division of the Academy and Training shall provide  
8 training in death and homicide investigation for State  
9 police officers. Only State police officers who  
10 successfully complete the training may be assigned as lead  
11 investigators in death and homicide investigations.  
12 Satisfactory completion of the training shall be evidenced  
13 by a certificate issued to the officer by the Division of  
14 the Academy and Training. The Director shall develop a  
15 process for waiver applications for officers whose prior  
16 training and experience as homicide investigators may  
17 qualify them for a waiver. The Director may issue a  
18 waiver, at his or her discretion, based solely on the  
19 prior training and experience of an officer as a homicide  
20 investigator.

21 (A) The Division shall require all homicide  
22 investigator training to include instruction on  
23 victim-centered, trauma-informed investigation. This  
24 training must be implemented by July 1, 2023.

25 (B) The Division shall cooperate with the Division  
26 of Criminal Investigation to develop a model

1 curriculum on victim-centered, trauma-informed  
2 investigation. This curriculum must be implemented by  
3 July 1, 2023.

4 (C) The Division of the Academy and Training shall  
5 provide training and continuing education to State  
6 police officers concerning:

7 (i) Identification and detection of staged  
8 crime scenes.

9 (ii) Working with a multidisciplinary team in  
10 the handling of domestic violence cases.

11 (iii) Indicators of domestic homicide in  
12 suspicious death cases, including all of the  
13 following:

14 (I) The decedent died prematurely or in an  
15 untimely manner.

16 (II) The scene of the death gives the  
17 appearance of death due to suicide or  
18 accident.

19 (III) One partner wanted to end the  
20 relationship.

21 (IV) There is a history of being  
22 victimized by domestic violence that includes  
23 coercive control.

24 (V) The decedent is found dead in a home  
25 or place of residence.

26 (VI) The decedent is found by a current or

1                   previous partner.

2                   (VII) There is a history of being  
3                   victimized by domestic violence that includes  
4                   strangulation or suffocation.

5                   (VIII) The current or previous partner of  
6                   the decedent, or child of the decedent or the  
7                   decedent's current or previous partner, is the  
8                   last to see the decedent alive.

9                   (IX) The partner had control of the scene  
10                   before law enforcement arrived.

11                   (X) The body of the decedent has been  
12                   moved or the scene or other evidence is  
13                   altered in some way.

14                   (3) Training; police dog training standards. All  
15                   police dogs used by the Illinois State Police for drug  
16                   enforcement purposes pursuant to the Cannabis Control Act,  
17                   the Illinois Controlled Substances Act, and the  
18                   Methamphetamine Control and Community Protection Act shall  
19                   be trained by programs that meet the certification  
20                   requirements set by the Director or the Director's  
21                   designee. Satisfactory completion of the training shall be  
22                   evidenced by a certificate issued by the Division of the  
23                   Academy and Training.

24                   (4) Training; post-traumatic stress disorder. The  
25                   Division of the Academy and Training shall conduct or  
26                   approve a training program in post-traumatic stress

1 disorder for State police officers. The purpose of that  
2 training shall be to equip State police officers to  
3 identify the symptoms of post-traumatic stress disorder  
4 and to respond appropriately to individuals exhibiting  
5 those symptoms.

6 (5) Training; opioid antagonists. The Division of the  
7 Academy and Training shall conduct or approve a training  
8 program for State police officers in the administration of  
9 opioid antagonists as defined in paragraph (1) of  
10 subsection (e) of Section 5-23 of the Substance Use  
11 Disorder Act that is in accordance with that Section. As  
12 used in this Section, "State police officers" includes  
13 full-time or part-time State police officers,  
14 investigators, and any other employee of the Illinois  
15 State Police exercising the powers of a peace officer.

16 (6) Training; sexual assault and sexual abuse.

17 (A) Every 3 years, the Division of the Academy and  
18 Training shall present in-service training on sexual  
19 assault and sexual abuse response and report writing  
20 training requirements, including, but not limited to,  
21 the following:

22 (i) recognizing the symptoms of trauma;

23 (ii) understanding the role trauma has played  
24 in a victim's life;

25 (iii) responding to the needs and concerns of  
26 a victim;



1 (iv) delivering services in a compassionate,  
2 sensitive, and nonjudgmental manner;

3 (v) interviewing techniques in accordance with  
4 the curriculum standards in this paragraph (6);

5 (vi) understanding cultural perceptions and  
6 common myths of sexual assault and sexual abuse;  
7 and

8 (vii) report writing techniques in accordance  
9 with the curriculum standards in this paragraph  
10 (6).

11 (B) This training must also be presented in all  
12 full and part-time basic law enforcement academies.

13 (C) Instructors providing this training shall have  
14 successfully completed training on evidence-based,  
15 trauma-informed, victim-centered responses to cases of  
16 sexual assault and sexual abuse and have experience  
17 responding to sexual assault and sexual abuse cases.

18 (D) The Illinois State Police shall adopt rules,  
19 in consultation with the Office of the Attorney  
20 General and the Illinois Law Enforcement Training  
21 Standards Board, to determine the specific training  
22 requirements for these courses, including, but not  
23 limited to, the following:

24 (i) evidence-based curriculum standards for  
25 report writing and immediate response to sexual  
26 assault and sexual abuse, including

1 trauma-informed, victim-centered interview  
2 techniques, which have been demonstrated to  
3 minimize retraumatization, for all State police  
4 officers; and

5 (ii) evidence-based curriculum standards for  
6 trauma-informed, victim-centered investigation  
7 and interviewing techniques, which have been  
8 demonstrated to minimize retraumatization, for  
9 cases of sexual assault and sexual abuse for all  
10 State police officers who conduct sexual assault  
11 and sexual abuse investigations.

12 (7) Training; human trafficking. The Division of the  
13 Academy and Training shall conduct or approve a training  
14 program in the detection and investigation of all forms of  
15 human trafficking, including, but not limited to,  
16 involuntary servitude under subsection (b) of Section 10-9  
17 of the Criminal Code of 2012, involuntary sexual servitude  
18 of a minor under subsection (c) of Section 10-9 of the  
19 Criminal Code of 2012, and trafficking in persons under  
20 subsection (d) of Section 10-9 of the Criminal Code of  
21 2012. This program shall be made available to all cadets  
22 and State police officers.

23 (8) Training; hate crimes. The Division of the Academy  
24 and Training shall provide training for State police  
25 officers in identifying, responding to, and reporting all  
26 hate crimes.

1           (9) Training; cell phone medical information. The  
2           Division of the Academy and Training shall develop and  
3           require each State police officer to complete training on  
4           accessing and utilizing medical information stored in cell  
5           phones. The Division may use the program approved under  
6           Section 2310-711 of the Department of Public Health Powers  
7           and Duties Law of the Civil Administrative Code of  
8           Illinois to develop the Division's program.

9           (10) ~~(9)~~ Training; autism spectrum disorders. The  
10          Division of the Academy and Training shall provide  
11          training for State police officers on the nature of autism  
12          spectrum disorders and in identifying and appropriately  
13          responding to individuals with autism spectrum disorders.  
14          The Illinois State Police shall review the training  
15          curriculum and may consult with the Department of Public  
16          Health or the Department of Human Services to update the  
17          training curriculum as needed. This training shall be made  
18          available to all cadets and State police officers.

19          (d) The Division of the Academy and Training shall  
20          administer and conduct a program consistent with 18 U.S.C.  
21          926B and 926C for qualified active and retired Illinois State  
22          Police officers.

23          (Source: P.A. 102-538, eff. 8-20-21; 102-756, eff. 5-10-22;  
24          102-813, eff. 5-13-22; 103-34, eff. 1-1-24; 103-939, eff.  
25          1-1-25; 103-949, eff. 1-1-25; revised 11-26-24.)

1           Section 10. The Illinois Police Training Act is amended by  
2 changing Section 10.1 as follows:

3           (50 ILCS 705/10.1) (from Ch. 85, par. 510.1)

4           Sec. 10.1. Additional training programs. The Board shall  
5 initiate, administer, and conduct training programs for  
6 permanent law enforcement officers and permanent county  
7 corrections officers in addition to the basic recruit training  
8 program. The Board may initiate, administer, and conduct  
9 training programs for part-time law enforcement officers in  
10 addition to the basic part-time law enforcement training  
11 course. The training for permanent and part-time law  
12 enforcement officers and permanent county corrections officers  
13 may be given in any schools selected by the Board. Such  
14 training may include all or any part of the subjects  
15 enumerated in Sections 7 and 7.4 of this Act.

16           The corporate authorities of all participating local  
17 governmental agencies may elect to participate in the advanced  
18 training for permanent and part-time law enforcement officers  
19 and permanent county corrections officers but nonparticipation  
20 in this program shall not in any way affect the mandatory  
21 responsibility of governmental units to participate in the  
22 basic recruit training programs for probationary full-time and  
23 part-time law enforcement and permanent county corrections  
24 officers. The failure of any permanent or part-time law  
25 enforcement officer or permanent county corrections officer to

1 successfully complete any course authorized under this Section  
2 shall not affect the officer's status as a member of the police  
3 department or county sheriff's office of any local  
4 governmental agency.

5 The Board may initiate, administer, and conduct training  
6 programs for clerks of circuit courts. Those training  
7 programs, at the Board's discretion, may be the same or  
8 variations of training programs for law enforcement officers.

9 The Board shall initiate, administer, and conduct a  
10 training program regarding the set up and operation of  
11 portable scales for all municipal and county police officers,  
12 technicians, and employees who set up and operate portable  
13 scales. This training program must include classroom and field  
14 training.

15 The Board shall initiate, administer, and conduct the same  
16 training program for permanent law enforcement officers as  
17 provided to State police officers under subparagraph (C) of  
18 paragraph (2) of subsection (c) of Section 2605-51 of the  
19 Illinois State Police Law of the Civil Administrative Code of  
20 Illinois.

21 (Source: P.A. 101-652, eff. 1-1-22; 102-694, eff. 1-7-22.)

22 Section 15. The Counties Code is amended by changing  
23 Section 3-3013 as follows:

24 (55 ILCS 5/3-3013) (from Ch. 34, par. 3-3013)

1           Sec. 3-3013. Preliminary investigations; blood and urine  
2 analysis; summoning jury; reports. Every coroner, whenever,  
3 as soon as he knows or is informed that the dead body of any  
4 person is found, or lying within his county, whose death is  
5 suspected of being:

6           (a) A sudden or violent death, whether apparently  
7 suicidal, homicidal, or accidental, including, but not  
8 limited to, deaths apparently caused or contributed to by  
9 thermal, traumatic, chemical, electrical, or radiational  
10 injury, or a complication of any of them, or by drowning or  
11 suffocation, or as a result of domestic violence as  
12 defined in the Illinois Domestic Violence Act of 1986;

13           (a-1) A death, if the circumstances surrounding the  
14 death is known or suspected as due to suicide and affords a  
15 reasonable basis to suspect that the death was caused by  
16 or related to the domestic violence of another, in  
17 consultation with a board-certified forensic pathologist  
18 certified by the American Board of Pathology;

19           (b) A death due to a sex crime;

20           (c) A death where the circumstances are suspicious,  
21 obscure, mysterious, or otherwise unexplained or where, in  
22 the written opinion of the attending physician, the cause  
23 of death is not determined;

24           (d) A death where addiction to alcohol or to any drug  
25 may have been a contributory cause; or

26           (e) A death where the decedent was not attended by a

1 licensed physician;  
2 shall go to the place where the dead body is and take charge of  
3 the same and shall make a preliminary investigation into the  
4 circumstances of the death. In the case of death without  
5 attendance by a licensed physician, the body may be moved with  
6 the coroner's consent from the place of death to a mortuary in  
7 the same county. Coroners in their discretion shall notify  
8 such physician as is designated in accordance with Section  
9 3-3014 to attempt to ascertain the cause of death, either by  
10 autopsy or otherwise.

11 In cases of accidental death involving a motor vehicle in  
12 which the decedent was (1) the operator or a suspected  
13 operator of a motor vehicle, or (2) a pedestrian 16 years of  
14 age or older, the coroner shall require that a blood specimen  
15 of at least 30 cc., and if medically possible a urine specimen  
16 of at least 30 cc. or as much as possible up to 30 cc., be  
17 withdrawn from the body of the decedent in a timely fashion  
18 after the crash causing his death, by such physician as has  
19 been designated in accordance with Section 3-3014, or by the  
20 coroner or deputy coroner or a qualified person designated by  
21 such physician, coroner, or deputy coroner. If the county does  
22 not maintain laboratory facilities for making such analysis,  
23 the blood and urine so drawn shall be sent to the Illinois  
24 State Police or any other accredited or State-certified  
25 laboratory for analysis of the alcohol, carbon monoxide, and  
26 dangerous or narcotic drug content of such blood and urine

1 specimens. Each specimen submitted shall be accompanied by  
2 pertinent information concerning the decedent upon a form  
3 prescribed by such laboratory. Any person drawing blood and  
4 urine and any person making any examination of the blood and  
5 urine under the terms of this Division shall be immune from all  
6 liability, civil or criminal, that might otherwise be incurred  
7 or imposed.

8 In all other cases coming within the jurisdiction of the  
9 coroner and referred to in subparagraphs (a) through (e)  
10 above, blood, and, whenever possible, urine samples shall be  
11 analyzed for the presence of alcohol and other drugs. When the  
12 coroner suspects that drugs may have been involved in the  
13 death, either directly or indirectly, a toxicological  
14 examination shall be performed which may include analyses of  
15 blood, urine, bile, gastric contents, and other tissues. When  
16 the coroner suspects a death is due to toxic substances, other  
17 than drugs, the coroner shall consult with the toxicologist  
18 prior to collection of samples. Information submitted to the  
19 toxicologist shall include information as to height, weight,  
20 age, sex, and race of the decedent as well as medical history,  
21 medications used by, and the manner of death of the decedent.

22 When the coroner or medical examiner finds that the cause  
23 of death is due to homicidal means, the coroner or medical  
24 examiner shall cause blood and buccal specimens (tissue may be  
25 submitted if no uncontaminated blood or buccal specimen can be  
26 obtained), whenever possible, to be withdrawn from the body of



1 the decedent in a timely fashion. For proper preservation of  
2 the specimens, collected blood and buccal specimens shall be  
3 dried and tissue specimens shall be frozen if available  
4 equipment exists. As soon as possible, but no later than 30  
5 days after the collection of the specimens, the coroner or  
6 medical examiner shall release those specimens to the police  
7 agency responsible for investigating the death. As soon as  
8 possible, but no later than 30 days after the receipt from the  
9 coroner or medical examiner, the police agency shall submit  
10 the specimens using the agency case number to a National DNA  
11 Index System (NDIS) participating laboratory within this  
12 State, such as the Illinois State Police, Division of Forensic  
13 Services, for analysis and categorizing into genetic marker  
14 groupings. The results of the analysis and categorizing into  
15 genetic marker groupings shall be provided to the Illinois  
16 State Police and shall be maintained by the Illinois State  
17 Police in the State central repository in the same manner, and  
18 subject to the same conditions, as provided in Section 5-4-3  
19 of the Unified Code of Corrections. The requirements of this  
20 paragraph are in addition to any other findings, specimens, or  
21 information that the coroner or medical examiner is required  
22 to provide during the conduct of a criminal investigation.

23 In all counties, in cases of apparent suicide, homicide,  
24 or accidental death or in other cases, within the discretion  
25 of the coroner, the coroner may summon 8 persons of lawful age  
26 from those persons drawn for petit jurors in the county. The

1 summons shall command these persons to present themselves  
2 personally at such a place and time as the coroner shall  
3 determine, and may be in any form which the coroner shall  
4 determine and may incorporate any reasonable form of request  
5 for acknowledgment which the coroner deems practical and  
6 provides a reliable proof of service. The summons may be  
7 served by first class mail. From the 8 persons so summoned, the  
8 coroner shall select 6 to serve as the jury for the inquest.  
9 Inquests may be continued from time to time, as the coroner may  
10 deem necessary. The 6 jurors selected in a given case may view  
11 the body of the deceased. If at any continuation of an inquest  
12 one or more of the original jurors shall be unable to continue  
13 to serve, the coroner shall fill the vacancy or vacancies. A  
14 juror serving pursuant to this paragraph shall receive  
15 compensation from the county at the same rate as the rate of  
16 compensation that is paid to petit or grand jurors in the  
17 county. The coroner shall furnish to each juror without fee at  
18 the time of his discharge a certificate of the number of days  
19 in attendance at an inquest, and, upon being presented with  
20 such certificate, the county treasurer shall pay to the juror  
21 the sum provided for his services.

22 In counties which have a jury commission, in cases of  
23 apparent suicide or homicide or of accidental death, the  
24 coroner may conduct an inquest. The jury commission shall  
25 provide at least 8 jurors to the coroner, from whom the coroner  
26 shall select any 6 to serve as the jury for the inquest.

1 Inquests may be continued from time to time as the coroner may  
2 deem necessary. The 6 jurors originally chosen in a given case  
3 may view the body of the deceased. If at any continuation of an  
4 inquest one or more of the 6 jurors originally chosen shall be  
5 unable to continue to serve, the coroner shall fill the  
6 vacancy or vacancies. At the coroner's discretion, additional  
7 jurors to fill such vacancies shall be supplied by the jury  
8 commission. A juror serving pursuant to this paragraph in such  
9 county shall receive compensation from the county at the same  
10 rate as the rate of compensation that is paid to petit or grand  
11 jurors in the county.

12 In every case in which a fire is determined to be a  
13 contributing factor in a death, the coroner shall report the  
14 death to the Office of the State Fire Marshal. The coroner  
15 shall provide a copy of the death certificate (i) within 30  
16 days after filing the permanent death certificate and (ii) in  
17 a manner that is agreed upon by the coroner and the State Fire  
18 Marshal.

19 In every case in which a drug overdose is officially  
20 determined to be the cause or a contributing factor in the  
21 death, the coroner or medical examiner shall report the death  
22 to the Department of Public Health. The Department of Public  
23 Health shall adopt rules regarding specific information that  
24 must be reported in the event of such a death, including, at a  
25 minimum, the following information, if possible: (i) the cause  
26 of the overdose; (ii) whether or not fentanyl was part or all

1 of the consumed substance; (iii) if fentanyl is part of the  
2 consumed substance, what other substances were consumed; and  
3 (iv) if fentanyl is part of the consumed substance, in what  
4 proportion was fentanyl consumed to other substance or  
5 substances. The coroner must also communicate whether there  
6 was a suspicious level of fentanyl in combination with other  
7 controlled substances present to all law enforcement agencies  
8 in whose jurisdiction the deceased's body was found in a  
9 prompt manner. As used in this paragraph, "overdose" has the  
10 same meaning as it does in Section 414 of the Illinois  
11 Controlled Substances Act. The Department of Public Health  
12 shall issue a semiannual report to the General Assembly  
13 summarizing the reports received. The Department shall also  
14 provide on its website a monthly report of overdose death  
15 figures organized by location, age, and any other factors the  
16 Department deems appropriate.

17 In addition, in every case in which domestic violence is  
18 determined to be a contributing factor in a death, the coroner  
19 shall report the death to the Illinois State Police.

20 All deaths in State institutions and all deaths of wards  
21 of the State or youth in care as defined in Section 4d of the  
22 Children and Family Services Act in private care facilities or  
23 in programs funded by the Department of Human Services under  
24 its powers relating to mental health and developmental  
25 disabilities or alcoholism and substance abuse or funded by  
26 the Department of Children and Family Services shall be

1 reported to the coroner of the county in which the facility is  
2 located. If the coroner has reason to believe that an  
3 investigation is needed to determine whether the death was  
4 caused by maltreatment or negligent care of the ward of the  
5 State or youth in care as defined in Section 4d of the Children  
6 and Family Services Act, the coroner may conduct a preliminary  
7 investigation of the circumstances of such death as in cases  
8 of death under circumstances set forth in subparagraphs (a)  
9 through (e) of this Section.

10 (Source: P.A. 102-538, eff. 8-20-21; 102-982, eff. 7-1-23;  
11 103-154, eff. 6-30-23; 103-842, eff. 1-1-25.)

12 Section 20. The Autopsy Act is amended by changing Section  
13 2 as follows:

14 (410 ILCS 505/2) (from Ch. 31, par. 42)

15 Sec. 2. Any physician may perform an autopsy upon the body  
16 of a decedent; provided,

17 a. he has a written authorization from the decedent (or  
18 from an agent of the decedent as authorized by the decedent  
19 under the Powers of Attorney for Health Care Law, as now or  
20 hereafter amended) to do so; ~~or~~

21 b. a written authorization from a surviving relative who  
22 has the right to determine the method for disposing of the body  
23 or a next of kin or other person who has such right; ~~or~~

24 b-1. he or she has a written authorization from a law

1 enforcement investigator requesting a complete autopsy in a  
2 case in which the investigator has determined there is an  
3 identifiable history of the homicide victim being victimized  
4 by domestic violence and any of the conditions listed in  
5 subsection (b) of Section 112B-5 of the Code of Criminal  
6 Procedure of 1963 are present;

7 c. a telegraphic or telephonic authorization from (i) a  
8 surviving relative who has the right to determine the method  
9 for disposing of the body or a next of kin or other person who  
10 has such right or (ii) an agent of the decedent as authorized  
11 by the decedent under the Powers of Attorney for Health Care  
12 Law, as now or hereafter amended; provided, the telegraphic or  
13 telephonic authorization is verified, in writing, by at least  
14 2 persons who were present at the time and place the  
15 authorization was received; or

16 d. where 2 or more persons have equal right to determine  
17 the method for disposing of the body, the authorization of  
18 only one such person shall be necessary, unless, before the  
19 autopsy is performed, any others having such equal right shall  
20 object in writing or, if not physically present in the  
21 community where the autopsy is to be performed, by telephonic  
22 or telegraphic communication to the physician by whom the  
23 autopsy is to be performed, in which event, the authorization  
24 shall be deemed insufficient.

25 In the case of a suspicious child death, the physician  
26 shall be a pathologist certified by the Department of Public

1 Health's Advisory Board on Necropsy Services.

2 Authorization may be given to a physician or hospital  
3 administrator or his duly authorized representative, but only  
4 a physician shall perform the autopsy.

5 (Source: P.A. 86-736.)

6 Section 25. The Code of Criminal Procedure of 1963 is  
7 amended by adding Article 112B as follows:

8 (725 ILCS 5/Art. 112B heading new)

9 ARTICLE 112B. INVESTIGATION OF HOMICIDES OF DECEDENTS WITH  
10 IDENTIFIABLE HISTORY OF BEING VICTIMIZED BY DOMESTIC VIOLENCE

11 (725 ILCS 5/112B-5 new)

12 Sec. 112B-5. Deceased individual with an identifiable  
13 history of being victimized by domestic violence.

14 (a) Prior to making any findings as to the manner and cause  
15 of death of a deceased individual with an identifiable history  
16 of being victimized by domestic violence, and with the  
17 presence of 3 or more factors listed in subsection (b), law  
18 enforcement investigators shall interview family members, such  
19 as parents, siblings, or other close friends or relatives of  
20 the decedent with relevant information regarding that history  
21 of domestic violence.

22 (b) Law enforcement investigators may request a complete  
23 autopsy, pursuant to paragraph (b-1) of Section 2 of the

1 Autopsy Act, in a case in which they have determined there is  
2 an identifiable history of being victimized by domestic  
3 violence and any of the following conditions are present:

4 (1) The decedent died prematurely or in an untimely  
5 manner.

6 (2) The scene of the death gives the appearance of  
7 death due to suicide or accident.

8 (3) One partner wanted to end the relationship.

9 (4) There is a history of being victimized by domestic  
10 violence that includes coercive control.

11 (5) The decedent is found dead in a home or place of  
12 residence.

13 (6) The decedent is found by a current or previous  
14 partner.

15 (7) There is a history of being victimized by domestic  
16 violence that includes strangulation or suffocation.

17 (8) The current or previous partner of the decedent,  
18 or child of the decedent or the decedent's current or  
19 previous partner, is the last to see the decedent alive.

20 (9) The partner had control of the scene before law  
21 enforcement arrived.

22 (10) The body of the decedent has been moved or the  
23 scene or other evidence is altered in some way.

24 (c) Sworn law enforcement personnel investigating a death  
25 if it has been determined that the decedent has an  
26 identifiable history of being victimized by domestic violence



1 shall be current in their training related to domestic  
2 violence incidents, including training required pursuant to  
3 subparagraph (C) of paragraph (2) of subsection (c) of Section  
4 2605-51 of the Illinois State Police Law of the Civil  
5 Administrative Code of Illinois or Section 10.1 of the  
6 Illinois Police Training Act.

7 (d) During the pendency of the investigation and any  
8 review, family members shall have access to all victim  
9 services and support provided under the Rights of Crime  
10 Victims and Witnesses Act.

11 (e) If a local law enforcement agency makes a finding that  
12 the death is not a homicide and closes the case, family members  
13 or their legal counsel shall have the right to request any and  
14 all records of the investigation currently available under the  
15 Freedom of Information Act.

16 (f) This Section does not require local law enforcement  
17 agencies to compromise an existing or open investigation and  
18 does not preempt the discretion provided to local law  
19 enforcement agencies in the investigation of death cases. This  
20 Section does not impose any additional liability on a local  
21 law enforcement agency for its investigation of existing cases  
22 or its investigative conclusions in those cases.

23 (g) In this Section:

24 "Domestic violence" has the same meaning as used in  
25 Section 103 of the Illinois Domestic Violence Act of 1986.

26 "Identifiable history of being victimized by domestic

1 violence" means demonstrable past incidents of being  
2 victimized by domestic violence that may be verified by prior  
3 police reports, written or photographic documentation,  
4 restraining order declarations, eyewitness statements, or  
5 other evidence that corroborates a history of such incidents.

6 "Partner" means a spouse, former spouse, cohabitant,  
7 former cohabitant, fiance, someone with whom the decedent had  
8 a dating relationship or engagement for marriage, or the  
9 parent of the decedent's child.

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 2605/2605-51

4 50 ILCS 705/10.1 from Ch. 85, par. 510.1

5 55 ILCS 5/3-3013 from Ch. 34, par. 3-3013

6 410 ILCS 505/2 from Ch. 31, par. 42

7 725 ILCS 5/Art. 112B

8 heading new

9 725 ILCS 5/112B-5 new