

1 AN ACT in relation to victims' rights.

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

4 Section 5. The Rights of Crime Victims and Witnesses Act
5 is amended by changing Section 6 as follows:

6 (725 ILCS 120/6) (from Ch. 38, par. 1406)

7 Sec. 6. Rights to present victim impact statement.

8 (a) In any case where a defendant has been convicted of
9 a violent crime or a juvenile has been adjudicated a
10 delinquent for a violent crime except those in which both
11 parties have agreed to the imposition of a specific sentence,
12 and a victim of the violent crime or the victim's spouse,
13 guardian, parent, or other immediate family or household
14 member is present in the courtroom at the time of the
15 sentencing or the disposition hearing, the victim or his or
16 her representative shall have the right and the victim's
17 spouse, guardian, parent, or other immediate family or
18 household member upon his, or her, or their request may be
19 permitted by the court to shall-have-the-right-to address the
20 court regarding the impact that which the defendant's
21 criminal conduct or the juvenile's delinquent conduct has had
22 upon them and the victim. ~~Any If--the-victim-chooses-to~~
23 ~~exercise-this-right,~~ the impact statement must have been
24 prepared in writing in conjunction with the Office of the
25 State's Attorney prior to the initial hearing or sentencing,
26 before it can be presented orally or in writing at the
27 sentencing hearing. In conjunction with the Office of the
28 State's Attorney, a victim impact statement that is presented
29 orally may be done so by the victim or the victim's spouse,
30 guardian, parent, or other immediate family or household
31 member or his, or her, or their representative. At the

1 sentencing hearing, the prosecution may introduce that
2 evidence either in its case in chief or in rebuttal. The
3 court shall consider any impact statement admitted statements
4 made-by-the-victim, along with all other appropriate factors
5 in determining the sentence of the defendant or disposition
6 of such juvenile.

7 (b) The crime victim has the right to prepare a victim
8 impact statement and present it to the Office of the State's
9 Attorney at any time during the proceedings.

10 (c) This Section shall apply to any victims of a violent
11 crime during any dispositional hearing under Section 5-705 of
12 the Juvenile Court Act of 1987 which takes place pursuant to
13 an adjudication of delinquency for any such offense.

14 (Source: P.A. 90-590, eff. 1-1-99; 91-693, eff. 4-13-00.)