

Illinois Crime Victims' *Bill of Rights*

The Illinois Constitution and Illinois statutes provide that victims of violent crime have the following rights:

- The right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation and abuse throughout the criminal justice process.
- The right to notice of and to a hearing before a court ruling on a request for access to any of the victim's records, information or communications which are privileged or confidential by law.
- The right to timely notification of all court proceedings.
- The right to communicate with the prosecution.
- The right to be heard at any post-arraignment court proceeding in which a right of the victim is at issue and any court proceeding involving a post-arraignment release decision, plea or sentencing.
- The right to be notified of the conviction, sentence, imprisonment and release of the accused.
- The right to timely disposition of the case following the arrest of the accused.
- The right to be reasonably protected from the accused throughout the criminal justice process.
- The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail, determining whether to release the defendant and setting conditions of release after arrest and conviction.
- The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.
- The right to have present at all court proceedings, subject to the rules of evidence, an advocate and other support person of the victim's choice.
- The right to restitution.

These rights apply in adult criminal proceedings and juvenile delinquency proceedings.

Violent crimes include homicide, felony assaults and batteries, kidnapping, sexual assault and abuse, arson, domestic battery, misdemeanors that result in death or great bodily harm, stalking, driving under the influence and violations of domestic violence orders of protection, civil no contact orders and stalking no contact orders.

The law requires that these rights must be requested in writing when charges have been filed against an offender. Contact the state's attorney's office prosecuting the case and complete a written "Notice of Victim's Assertion of Rights."

For more information, please contact your local state's attorney's office or the Attorney General's toll free Crime Victims Assistance Line.

Crime Victims Assistance Line
1-800-228-3368
1-877-398-1130 (TTY)



This project was supported by Grant #2015-VF-GX-0062, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice, through the Illinois Criminal Justice Information Authority. Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice, or the Illinois Criminal Justice Information Authority.