

ILLINOIS



State legislatures consider and enact laws that address the administration and use of forensic science by state justice systems. Issues addressed in these measures include the delegation of oversight responsibilities for forensic services, accreditation standards for forensic laboratories, access to post-conviction DNA testing, the collection and analysis of DNA samples from arrested and convicted individuals and procedures for eyewitness identification. Following is information on this state's legislative activity on forensic science issues. More information on forensic science policy from all 50 states and the District of Columbia is available on the NCSL [forensic science page](#).

Administration of State Forensic Services **Ch. 60 § 2605/2605-40,** **Ch. 730 § 5/5-4-3**

The state administers its forensic services through the Division of Forensic Services in the Illinois Department of State Police.

State Oversight of Forensic Services **Ch. 20 § 3981/1**

The state's Laboratory Advisory Committee is responsible for oversight of forensic services. The primary purpose of the committee is to make policy recommendations. The committee is required to make annual reports.

Convicted Offender DNA Analysis **Ch. 730 § 5/5-4-3**

People convicted of any felony or sex crime misdemeanor must submit a DNA sample to state officials. Sample collection applies to juveniles.

Arrestee DNA Analysis **Ch. 730 § 5/5-4-3**

People arrested for first degree murder, home invasion, predatory criminal sexual assault of a child, aggravated criminal sexual assault or criminal sexual assault must submit a DNA sample to state officials. A probable cause is required to take place before a presiding judge. The sample is collected after the hearing. Expungement of the sample is automatic.

Post Conviction DNA Analysis **Ch. 725 § 5/116-3**

The state allows an individual who plead guilty or is convicted of a crime to apply for post-conviction DNA testing. The testing can occur even if the result would not completely exonerate the defendant. Illinois code has specifications for the preservation of biological evidence.





Sexual Assault Evidence and Backlogs.....Ch. 725 § 202, Ch. 410 § 70/6.4

State laws address training requirements for sexual assault examiners, evidence submission standards for law enforcement, evidence collection protocols, communication standards for law enforcement with victims and backlogged medical kits.

Eyewitness Identification Procedures.....Ch. 725 §§ 107A-0.1,2

The state specifies procedures for lineups and photo arrays. The state requires law enforcement to develop written identification procedures and to record all lineups conducted unless impractical. The state requires instructions to be given to the eyewitness prior to the lineup. In 2006, a [report](#) was made to the legislature regarding a pilot program on sequential double-blind identification procedures.
