

Attorney General Raoul Highlights New Laws

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CHICAGO – Attorney General Kwame Raoul today highlighted four new laws initiated by his office that will go into effect on Jan. 1.

“Whether by improving Illinois’ police certification and decertification process, protecting minors from the dangers of e-cigarette usage, protecting survivors of human trafficking or streamlining support to victims of violent crime, my office has focused on developing measures to enhance public safety throughout the state,” Raoul said. “I look forward to our continued collaboration with law enforcement, legislators and various stakeholders to enact policies that protect residents and communities around Illinois.”

Senate Bill 593 allows survivors of human trafficking to apply for the protections provided by Illinois’ Address Confidentiality Program (ACP). The law, sponsored by Sen. Suzy Glowiak Hilton and Rep. Terra Costa Howard, also strengthens protections for all participants by preventing participants’ addresses and phone numbers from being disclosed under the Freedom of Information Act, ensuring participants can obtain a Real ID driver’s license using the program’s substituted address, and clarifying the process for participants to register to vote.

Survivors of human trafficking, domestic violence, sexual assault and stalking can apply for the ACP through the Attorney General’s office. The ACP provides participants with a substitute address that can be used to create or update public records for personal use. Additionally, the program functions as a mail-forwarding system for all first-class mail. Raoul cautions that, while the ACP is not a witness protection program that can assist with relocation or a change of identity, it can be an important part of a comprehensive safety plan. Enrollment lasts for a period of four years, and participants can renew their enrollment at the end of the period. Participants are free to voluntarily withdraw from the ACP at any time.

Applying to participate in the ACP is free of charge, and the Attorney General’s office is prohibited from disclosing a participant’s address unless the office receives a request from law enforcement or a court order requiring disclosure to a specific individual. Additional information is available on the [Attorney General’s website](#).

House Bill 3295 streamlines the process of filing for assistance from the Crime Victims Compensation Program, which provides funding to help victims of violent crime and their families cover expenses resulting from a violent crime. The new victim-centric law, sponsored by Sen. Sen. Elgie Sims and Rep. Justin Slaughter, provides that a victim’s criminal history or felony status shall not automatically prevent the victim or their family from receiving compensation. Instead, the law now requires there to be a direct connection between the victim’s criminal conduct and their victimization in order for compensation to be denied.

The law also increases the maximum amount of compensation from \$27,000 to \$45,000 for a crime committed on or after Aug. 7, 2022. In 2019, 17 claimants were awarded the maximum \$27,000 but could have been entitled to additional compensation. This most

often happens in cases that involve the loss of support, loss of earnings and medical bills. The new law also permits emergency compensation to be issued to applicants for the purpose of paying funeral and burial expenses, which will help families with the rising costs of those expenses.

House Bill 3653, which the Illinois Legislature passed early this year, includes Attorney General Raoul's proposal for improving the police certification and decertification process in Illinois. The legislation, which was sponsored by Rep. Justin Slaughter and Sen. Elgie Sims, will improve the police certification and decertification process in Illinois by focusing on three key areas of reform:

- **Creating uniformity during the review process:** Prior to House Bill (HB) 3653, the Illinois Law Enforcement Training and Standards Board (ILETSB) could decertify an officer only in the event of a felony conviction and a limited list of misdemeanors. The new law allows for investigations of serious officer misconduct that may not automatically lead to decertification but still warrants a review of the officer's actions.
- **Promotes professionalism:** A mandatory reporting system will be created to ensure officers have completed mandatory in-service training, are still employed by a department, and are in compliance with state professionalism standards.
- **Increasing transparency:** The new law also improves information sharing between hiring departments, departments and prosecutors, and the ILETSB and the public.

The law also gives the Attorney General's office clear authority under state law to investigate and resolve patterns or practices of unconstitutional policing by local and state agencies. Prior to the legislation, Attorney General Raoul led discussions with Congressional leadership to ensure federal law gives state attorneys general authority to conduct such investigations. As a result, the George Floyd Justice in Policing Act of 2020 was amended; however, the current George Floyd Justice in Policing Act of 2021 has stalled in the Senate after passage by the U.S. House.

Senate Bill 512, the Preventing Youth Vaping Act, is intended to address the epidemic levels of youth e-cigarette usage by preventing companies from marketing products to minors. The new law prohibits companies from directing advertisements and marketing materials at people under the age of 21 by including cartoons or images from video games, movies and other media that appeal to youth. The law also prohibits misleading advertising that promotes the usage of e-cigarettes as smoking cessation products or low-risk alternatives to tobacco without the required FDA approval for those uses.

Sponsored by Sen. Julie Morrison and Rep. Bob Morgan and passed by the Illinois Legislature with nearly unanimous bipartisan support, the new law seeks to prevent

minors from purchasing e-cigarettes by requiring online retailers to take certain steps to ensure that purchasers are at least 21 years old. For example, the law requires that online orders be paid via check or a credit card that includes the customer's name, and orders must be shipped to the same name and address associated with the payment method. Additionally, sellers must take steps to ensure that "Tobacco Product" appears on the purchaser's credit card statement. Packages also must be clearly marked as containing e-cigarettes.

During 2019, hundreds of people in several states, including Illinois, became seriously ill or were hospitalized after using e-cigarettes. The new law prohibits sales of adulterated e-cigarettes that contain specific harmful chemicals or additives. Such additives are frequently used to dilute other components, giving products a milder flavor, but cause health risks when they become a vapor.