

1 AN ACT concerning local government.

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

4 Section 1. Short title. This Act may be cited as the Law
5 Enforcement Criminal Sexual Assault Investigation Act.

6 Section 5. Definitions. As used in this Act:

7 "Law enforcement agency" means an agency of this State or
8 unit of local government which is vested by law or ordinance
9 with the duty to maintain public order and to enforce criminal
10 laws or ordinances.

11 "Law enforcement officer" or "officer" means any person
12 employed by a State, county, or municipality as a policeman,
13 peace officer, or in a like position involving the enforcement
14 of the law and protection of public interest at the risk of the
15 person's life.

16 "Officer-involved criminal sexual assault" means an
17 alleged violation of Section 11-1.20, 11-1.30, 11-1.40,
18 11-1.50, or 11-1.60 of the Criminal Code of 2012 while an
19 officer is on duty.

20 Section 10. Investigation of officer-involved criminal
21 assault; requirements.

22 (a) Each law enforcement agency shall have a written policy

1 regarding the investigation of officer-involved criminal
2 sexual assault that involves a law enforcement officer employed
3 by that law enforcement agency.

4 (b) Each officer-involved criminal sexual assault
5 investigation shall be conducted by at least 2 investigators or
6 an entity comprised of at least 2 investigators, one of whom
7 shall be the lead investigator. The investigators shall have
8 completed a specialized sexual assault and sexual abuse
9 investigation training program approved by the Illinois Law
10 Enforcement Training Standards Board or similar training
11 approved by the Department of State Police. No investigator
12 involved in the investigation may be employed by the law
13 enforcement agency that employs the officer involved in the
14 officer-involved criminal sexual assault, unless the
15 investigator is employed by the Department of State Police or a
16 municipality with a population over 1,000,000 and is not
17 assigned to the same division or unit as the officer involved
18 in the criminal sexual assault.

19 (c) Upon receipt of an allegation or complaint of an
20 officer-involved criminal sexual assault, a municipality with
21 a population over 1,000,000 shall promptly notify an
22 independent agency, created by ordinance of the municipality,
23 tasked with investigating incidents of police misconduct.

24 Section 15. Intra-agency investigations. This Act does not
25 prohibit a law enforcement agency from conducting an internal

1 investigation into the officer-involved criminal sexual
2 assault if the internal investigation does not interfere with
3 the investigation conducted under the requirements of Section
4 10 of this Act.

5 Section 20. Compensation for investigations. Compensation
6 for participation in an investigation of an officer-involved
7 criminal sexual assault under Section 10 of this Act may be
8 determined in an intergovernmental or interagency agreement.

9 Section 99. Effective date. This Act takes effect January
10 1, 2018.