



Rep. Litesa E. Wallace

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10000HB4962ham001

LRB100 19189 SLF 37184 a

1 AMENDMENT TO HOUSE BILL 4962

2 AMENDMENT NO. _____. Amend House Bill 4962 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Law Enforcement Criminal Sexual Assault
5 Investigation Act is amended by changing Section 10 as follows:

6 (5 ILCS 815/10)

7 Sec. 10. Investigation of officer-involved criminal
8 assault; requirements.

9 (a) Each law enforcement agency shall have a written policy
10 regarding the investigation of officer-involved criminal
11 sexual assault that involves a law enforcement officer employed
12 by that law enforcement agency.

13 (b) Each officer-involved criminal sexual assault
14 investigation shall be conducted by at least 2 investigators or
15 an entity comprised of at least 2 investigators, one of whom
16 shall be the lead investigator. The investigators shall have

1 completed a specialized sexual assault and sexual abuse
2 investigation training program approved by the Illinois Law
3 Enforcement Training Standards Board or similar training
4 approved by the Department of State Police. No investigator
5 involved in the investigation may be employed by the law
6 enforcement agency that employs the officer involved in the
7 officer-involved criminal sexual assault, ~~unless the~~
8 ~~investigator is employed by the Department of State Police or a~~
9 ~~municipality with a population over 1,000,000 and is not~~
10 ~~assigned to the same division or unit as the officer involved~~
11 ~~in the criminal sexual assault.~~

12 (c) Upon receipt of an allegation or complaint of an
13 officer-involved criminal sexual assault against a law
14 enforcement officer employed by, a municipality with a
15 population over 1,000,000, the municipality shall promptly
16 notify the Department of State Police. The Department of State
17 Police shall investigate incidents of an officer-involved
18 criminal sexual assault by a law enforcement officer employed
19 with a municipality with a population over 1,000,000 an
20 independent agency, created by ordinance of the municipality,
21 tasked with investigating incidents of police misconduct.

22 (d) Upon receipt of an allegation or complaint of an
23 officer-involved criminal sexual assault against a law
24 enforcement officer employed by the Department of State Police,
25 the Department of State Police shall promptly notify the
26 State's Attorney of the county in which the alleged offense

1 occurred. The State's Attorney in the county in which the
2 alleged officer-involved criminal sexual assault occurred
3 shall investigate incidents of officer-involved criminal
4 sexual assault by a law enforcement officer employed with the
5 Department of State Police.

6 (e) Upon completion of the investigation of an alleged
7 officer-involved criminal sexual assault, the investigating
8 officer shall, regardless of whether or not consensual sexual
9 relations has been raised as a defense to the allegation or
10 complaint, submit the report on the investigation to the
11 State's Attorney of the county where the alleged sexual assault
12 took place.

13 (Source: P.A. 100-515, eff. 1-1-18.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.".