



Sen. Steve Stadelman

**Filed: 5/29/2017**

10000HB0270sam001

LRB100 04388 SLF 27217 a

1 AMENDMENT TO HOUSE BILL 270

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 270 by replacing  
3 everything after the enacting clause with the following:

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

1 alleged violation of Section 11-1.20, 11-1.30, 11-1.40,  
2 11-1.50, or 11-1.60 of the Criminal Code of 2012 while an  
3 officer is on duty.

4 Section 10. Investigation of officer-involved criminal  
5 assault; requirements.

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

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

25 (c) Upon receipt of an allegation or complaint of an

1 officer-involved criminal sexual assault, a municipality with  
2 a population over 1,000,000 shall promptly notify an  
3 independent agency, created by ordinance of the municipality,  
4 tasked with investigating incidents of police misconduct.

5 Section 15. Intra-agency investigations. This Act does not  
6 prohibit a law enforcement agency from conducting an internal  
7 investigation into the officer-involved criminal sexual  
8 assault if the internal investigation does not interfere with  
9 the investigation conducted under the requirements of Section  
10 10 of this Act.

11 Section 20. Compensation for investigations. Compensation  
12 for participation in an investigation of an officer-involved  
13 criminal sexual assault under Section 10 of this Act may be  
14 determined in an intergovernmental or interagency agreement.

15 Section 99. Effective date. This Act takes effect January  
16 1, 2018."