

AN ACT concerning local government.

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

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

Section 5. Definitions. As used in this Act:

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

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

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

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

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

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

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

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

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

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

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

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