



Improving Response to Sexual Assault Statewide Senate Bill 3096

Bennett – Haine – Lightford – Althoff – Muñoz

Improve Reporting, Increase Prosecutions, & Reduce Retraumatization

Sexual assault continues to be a serious criminal justice issue in Illinois and our nation. In FY 2015, 9,593 individuals called Illinois rape crisis center hotlines; 8,908 victims received in-person services. In FY 2014, 9,305 children were referred to Child Advocacy Centers for sexual abuse. Unfortunately, according to Illinois State Police, only 4,089 sexual assault victims reported the crime to law enforcement in 2014. Nationally, according to the Bureau of Justice Statistics report released in 2012, only 35% of sexual assault victims reported the sexual assault to law enforcement.

Increased reporting helps prevent rapists from reoffending, leads to increased prosecutions, promotes justice for victims and keeps our state, including our children, safer.

This legislation will improve responses to sexual assault and sexual abuse cases with the following evidence-based, trauma-informed, victim-centered *policies, procedures, training* and *practices* that have been demonstrated to minimize retraumatization of victims and increase their participation in the criminal justice process. It strengthens the following five areas:

1. **Policies**: Ensures that law enforcement agencies as well as 911 centers have evidence-based, trauma-informed, victim-centered policies governing responses to sexual assault.
2. **Reports**: Requires law enforcement officers to complete written reports of every sexual assault complaint—regardless of who is reporting the crime and where the crime occurred.
3. **Training**: Requires evidence-based, trauma-informed, victim-centered training on sexual assault for law enforcement investigators, first responders, and 911 operators.
4. **Time**: Extends the time period for victims to consent to the release of their forensic evidence kit for testing to five years after the assault. Victims under the age of 18 at the time of the offense will have five years from their 18th birthday to consent to its release.
5. **Transparency**: Allows victims to request the status of their rape kit testing. Requests must be honored unless doing so would compromise or impede an ongoing investigation.

This legislation reflects the work of The Joint Sexual Assault Working Group formed by Illinois Attorney General Lisa Madigan, Illinois Coalition Against Sexual Assault's Executive Director Polly Poskin, Cook County State's Attorney Anita Alvarez and St. Clair County State's Attorney Brendan Kelly in March 2015. The Working Group hosted over 20 meetings to look at the challenges a victim faces after a sexual assault. Law enforcement, victims' advocates and state agency personnel joined the working group with the goal of increasing the reporting, investigation and successful prosecution of sexual assault.

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