

AN ACT concerning criminal law.

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

Section 5. The Sexual Assault Incident Procedure Act is amended by changing Section 20 as follows:

(725 ILCS 203/20)

Sec. 20. Reports by law enforcement officers.

(a) A law enforcement officer shall complete a written police report upon receiving the following, regardless of where the incident occurred:

(1) an allegation by a person that the person has been sexually assaulted or sexually abused regardless of jurisdiction;

(2) information from hospital or medical personnel provided under Section 3.2 of the Criminal Identification Act; or

(3) information from a witness who personally observed what appeared to be a sexual assault or sexual abuse or attempted sexual assault or sexual abuse.

(b) The written report shall include the following, if known:

(1) the victim's name or other identifier;

(2) the victim's contact information;

- (3) time, date, and location of offense;
- (4) information provided by the victim;
- (5) the suspect's description and name, if known;
- (6) names of persons with information relevant to the time before, during, or after the sexual assault or sexual abuse, and their contact information;
- (7) names of medical professionals who provided a medical forensic examination of the victim and any information they provided about the sexual assault or sexual abuse;
- (8) whether an Illinois State Police Sexual Assault Evidence Collection Kit was completed, the name and contact information for the hospital, and whether the victim consented to testing of the Evidence Collection Kit by law enforcement;
- (9) whether a urine or blood sample was collected and whether the victim consented to testing of a toxicology screen by law enforcement;
- (10) information the victim related to medical professionals during a medical forensic examination which the victim consented to disclosure to law enforcement; and
- (11) other relevant information.

(c) If the sexual assault or sexual abuse occurred in another jurisdiction, the law enforcement officer taking the report must submit the report to the law enforcement agency having jurisdiction in person or via fax or email within 24

hours of receiving information about the sexual assault or sexual abuse.

(d) Within 24 hours of receiving a report from a law enforcement agency in another jurisdiction in accordance with subsection (c), the law enforcement agency having jurisdiction shall submit a written confirmation to the law enforcement agency that wrote the report. The written confirmation shall contain the name and identifier of the person and confirming receipt of the report and a name and contact phone number that will be given to the victim. The written confirmation shall be delivered in person or via fax or email.

(e) No law enforcement officer shall require a victim of sexual assault or sexual abuse to submit to an interview.

(f) No law enforcement agency may refuse to complete a written report as required by this Section on any ground. A law enforcement officer shall not discourage or attempt to discourage a victim from filing a police report concerning sexual assault or sexual abuse.

(g) All law enforcement agencies shall ensure that all officers responding to or investigating a complaint of sexual assault or sexual abuse have successfully completed training under Section 10.21 of the Illinois Police Training Act and Section 2605-51 of the Illinois State Police Law of the Civil Administrative Code of Illinois.

(h) At law enforcement agencies that employ officers of more than one sex or gender who have the training described in

subsection (g), a law enforcement officer shall inform a victim of sexual assault or sexual abuse of the opportunity to request to be interviewed by an officer of a particular sex or gender. If, when a request is made, no officer at that agency of the requested sex or gender with the training described in subsection (g) is reasonably available, the victim may consent to be interviewed by any available law enforcement officer with that training, decline to be interviewed, or choose to schedule an interview at another time when such an officer is expected to be available. Every law enforcement agency shall establish a policy that defines "reasonably available" for this Section.

The duty to inform the victim about the opportunity to request to be interviewed by an officer of a particular sex or gender shall not apply to the preliminary investigation by the initial responding officer at the crime scene, in the emergency department of a hospital, at an approved pediatric health care facility, or under exigent circumstances. The initial responding officer shall not require a victim to submit to an interview, pursuant to subsection (e). If the victim requests an officer of a particular sex or gender at the scene, in the emergency department of a hospital, at an approved pediatric health care facility, or during exigent circumstances, the responding officer shall accommodate the request when an officer of the requested sex or gender is reasonably available.

(i) A law enforcement officer shall inform a victim of sexual assault or sexual abuse of the opportunity to have a support person of the victim's choosing present during any interview by a law enforcement officer or prosecutor, unless the law enforcement officer or prosecutor makes a good faith determination based on professional judgment, before or during the interview, that the presence of the support person would be detrimental to the purpose of the interview. If the support person engages in behavior that disrupts or undermines the interview, the support person may be removed. If the support person is not permitted to accompany the victim or is removed, the victim may consent to be interviewed without a support person, decline to be interviewed, or choose to schedule an interview at another time and bring a different support person.

The duty to inform the victim about the opportunity to have a support person shall not apply to the preliminary investigation by the initial responding officer at the crime scene, in the emergency department of a hospital, at an approved pediatric health care facility, or under exigent circumstances. The initial responding officer shall not require a victim to submit to an interview, pursuant to subsection (e). Nothing in this Section prohibits the initial responding officer from offering or allowing a victim to have a support person.

(Source: P.A. 104-173, eff. 1-1-26.)