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ATTORNEY GENERAL MADIGAN: BILL TO CHANGE RESPONSE TO SEXUAL ASSAULT CRIMES BECOMES LAW

Joint Sexual Assault Working Group's Legislation Encourages Survivors to Report Crimes, Requires Training for Law Enforcement & Improves Justice for Survivors

Chicago — Attorney General Lisa Madigan today announced that landmark legislation to encourage more sexual assault survivors to come forward and increase the successful prosecution of sexual assault crimes in Illinois was signed into law by the governor. The law goes into effect on January 1, 2017, and includes deadlines for the required training of law enforcement officers.

Senate Bill 3096, sponsored by Sen. Scott Bennett and Rep. Emily McAsey, was initiated by the Joint Sexual Assault Working Group led by Madigan, Cook County State's Attorney Anita Alvarez, St. Clair County State's Attorney Brendan Kelly and Illinois Coalition Against Sexual Assault (ICASA) Executive Director Polly Poskin. The Working Group was formed to address the fact that most survivors of sexual assault do not report their crimes to Illinois authorities. The new law will require victim-centered policies and sexual assault response training for law enforcement authorities and first responders, including 911 operators, in order to improve the response to survivors and encourage more survivors to report their crimes. The law also changes state law to allow the Illinois State Police to process and test rape kits faster and extends the time for survivors to consent to the testing of their forensic evidence from 14 days to five years.

The new law was created to address troubling statistics that show the prevalence of sexual assault crimes in our communities. Studies show that one out of every five American women and one in 33 men have been the victim of an attempted or completed rape in their lifetimes. It is estimated that 43 percent of lesbian and bisexual women and 30 percent of gay and bisexual men have experienced sexual assault during their lifetimes. These crimes also affect children – in 2014, the Illinois Department of Children and Family Services reported that over 2,100 children were confirmed as victims of sexual abuse. People who are living with disabilities also experience high rates of sexual assault. Studies have shown that 83 percent of women with disabilities will be sexually assaulted in their lifetimes. Among people with intellectual disabilities, studies have found 80 percent of women and 30 percent of men have been sexually assaulted, and 50 percent of those women have been assaulted more than 10 times. Despite those numbers, only 3 percent of sexual abuse cases involving people with developmental disabilities are reported.

"Sexual assault is a devastating crime that is rarely reported to law enforcement. Our Working Group spent more than a year taking a comprehensive look at why and how our criminal justice system can better respond, investigate and support survivors," Madigan said. "Illinois will now require police to undergo specialized training and follow specific protocols for incidents of sexual assault that should encourage more survivors to come forward and receive justice. These are significant changes to improve our response to sexual assault crimes."

"From providing training to first responders to enabling survivors to receive information about evidence testing, this law represents a top to bottom effort at improving our process for survivors of sexual assaults," Bennett, a former prosecutor, said. "I am proud to see this important measure become law."

"A survivor's road to recovery following a sexual assault is long, and it begins as soon as first responders arrive on the scene," McAsey said. "This law is so important to make sure survivors have the support and services they need every step of the way, which is crucial to recovery."

"I am very proud to be part of such a collaborative effort with so many partners across Illinois to pass this important legislation on behalf of the victims of sexual assault," said State's Attorney Anita Alvarez. "This comprehensive bill will help to improve the response to survivors wishing to report to law enforcement and mandate training for every law enforcement officer to help ensure that we hold offenders accountable and obtain justice for those seeking it."

The law makes the following changes to improve the response to sexual assault crimes in Illinois:

- Law enforcement agencies and 911 centers will be required to put in place evidence-based, trauma-informed, victim-centered policies governing responses to sexual assault.
- Law enforcement officers will be required to complete written reports of every sexual assault complaint, regardless of who is reporting the crime and where it occurred.
- Victim-sensitive training will be increased for law enforcement investigators, first responders and 911 operators.
- Survivors will be able to request updates on the status of the testing of their sexual assault evidence by the state crime lab. Illinois State Police will be required to respond to status requests unless doing so would compromise or impede an ongoing investigation.
- The time period for survivors to consent to the testing of their sexual assault forensic evidence will be extended from 14 days to five years after the assault. Survivors under the age of 18 at the time of the crime will have five years from their 18th birthday to consent to the testing of the evidence.

The Joint Sexual Assault Working Group has worked over the past year to address statistics that show only a fraction of sexual assault survivors come forward to Illinois authorities. During fiscal year 2015, 9,593 individuals called Illinois rape crisis center hotlines and 8,908 survivors received in-person services. In that same time period, 10,241 children were referred to child advocacy centers for sexual abuse. But studies suggest that between only 5 to 20 percent of rapes are reported to law enforcement, and only a small number of those reported are prosecuted.

Members of the Joint Sexual Assault Working Group include the Illinois State's Attorneys Association, the Illinois Association of Chiefs of Police, the Illinois Sheriffs Association, the Illinois State Police, the Illinois Law Enforcement Training and Standards Board, the Illinois Criminal Justice Information Authority, the Illinois Health and Hospital Association, the Chicago Police Department, the Cook County Sheriff's Office, Rape Victims Advocates, The Center for the Prevention of Abuse, YWCA of Metropolitan Chicago, the Illinois Department of Healthcare and Family Services, and the Illinois Department of Public Health.

"Prosecutors across Illinois are committed to seeking justice for survivors of sexual assault, and this law is a first step in our efforts to hold more offenders accountable and, most importantly, to meet the needs of survivors," said State's Attorney Brendan Kelly. "I appreciate Attorney General Madigan's strong leadership on this issue."

"Under this law, 911 operators, first responders and law enforcement will receive specialized training to assist survivors of rape and sexual assault, which is absolutely critical, as they are some of the first individuals a survivor encounters," said Poskin.

Attorney General Madigan, working with the Joint Sexual Assault Working Group, successfully advocated last year for legislative action to prevent sexual assault survivors from receiving bills for medical forensic examinations, expand sexual assault response training at all Illinois police academies, and increase funding for the Illinois State Police's crime lab.

Attorney General Madigan has worked for more than a decade to protect survivors of sexual violence and strengthen their rights. Last year, Madigan drafted and successfully worked to pass the Preventing Sexual Violence on Campus Act to set standards for all colleges and universities to prevent and respond to sexual violence. She also successfully advocated for enhanced crime victims' rights under the state's Constitution to ensure they have a voice in the criminal justice system.

Madigan also worked to make Illinois the first state in the country to mandate the testing of sexual assault evidence kits. She additionally leads a continuing effort to increase the number of Sexual Assault Nurse Examiners in hospitals throughout Illinois, who are trained to collect physical evidence following a sexual assault, respond to the psychological needs of a survivor, and testify in court. Madigan's office also funds dozens of Illinois organizations that provide critical victim services to survivors.

Attorney General Madigan's Crime Victim Services Division manages programs that provide assistance to crime victims and service providers. For more information about the Crime Victims Services Division or the rights afforded to survivors of crime, please visit Madigan's [website](#) or call her office's toll-free Crime Victims' Assistance Line: 1-800-228-3368 or 1-877-398-1130 (TTY).

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