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ATTORNEY GENERAL MADIGAN: ILLINOIS ELIMINATES STATUTES OF LIMITATIONS ON CHILD SEX ABUSE CRIMES

Measure Initiated by Madigan to Eliminate Criminal Statutes of Limitations for Felony Child Sexual Abuse and Assault Crimes Becomes Law

Chicago — Attorney General Lisa Madigan today announced Illinois has now eliminated the statutes of limitations for felony criminal sexual assault and sexual abuse crimes against children. Senate Bill 189, initiated by Madigan, was passed by the General Assembly unanimously and signed into law by the governor Friday.

Sponsored by Sen. Scott Bennett and Rep. Michelle Mussman, the legislation eliminates Illinois' criminal statutes of limitations for all felony child sexual abuse and child sexual assault crimes that can allow predators to go unpunished. The law, effective immediately, applies to future felony child sex crime cases as well as current criminal cases in which the previous statute of limitations has not expired.

"Sex crimes against children are a horribly tragic violation of trust that can take a lifetime to recover from," Madigan said. "This new law will ensure that survivors are provided with the time they need to heal and seek justice."

Prior the new law, Illinois' statutes required that the most egregious sexual offenses against children must be reported and prosecuted within 20 years of the survivor turning 18 years old. Two exceptions existed for cases in which the crimes were committed on or after Jan. 1, 2014 and either corroborating physical evidence exists or a mandated reporter failed to report the abuse. The then-law restricting a survivor's ability to come forward prevented former U.S. House Speaker Dennis Hastert from being prosecuted for allegations of abuse against minors while he was an Illinois high school coach decades ago. Scott Cross, a survivor of Hastert's abuse, joined Attorney General Madigan in advocating for today's change in the law, recounting his experience before lawmakers and urging them to pass Senate Bill 189.

"Dennis Hastert used his authority and position as a role model to violate the trust of the youth in his care - in the most unimaginable way possible. And despite the lives ruined and decades of pain and suffering the survivors continue to deal with, he will never be held accountable," Scott Cross said. "I am thankful that Illinois law will now allow survivors of these horrific crimes to come forward in their own time, and get justice - no matter how overdue."

As more child survivors of abuse and sexual assault have come forward to describe the difficult process that they have endured in reporting, states across the country have eliminated statutes of limitations for these crimes. Nationwide, 36 other states and the federal government have removed criminal statutes of limitations for some or all sexual offenses against children.

"A prosecutor's ability to seek justice on behalf of a sexual abuse survivor should not be hindered by an arbitrary stopwatch," said Sen. Bennett, a former prosecutor. "There should be no time limit on obtaining justice for the survivors of these horrendous crimes, and I appreciate Attorney General Madigan's efforts to eliminate the statutes of limitations on these crimes."

"We have seen that it can take survivors of child sex crimes a lifetime to come to terms with the abuse they experienced. Once a survivor is ready to report their crime, they should not be told that it is too late for them to seek justice," Rep. Mussman said. "I was proud to work with Attorney General Madigan to send this critical measure to the governor's desk."

"This law sends a message to survivors of felony child sex crimes that it is not too late to come forward and report to law enforcement. Holding abusers accountable is important in a survivor's recovery. A survivor's path to justice should not be unavailable due to Illinois' statutes of limitations," said Polly Poskin, Executive Director of the Illinois Coalition Against Sexual Assault.

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