

HOW CAN I HELP? HOW CAN I LEARN MORE?

- ☐ I wish to schedule a **S.A.F.E.** speaker for my school, club, church, organization, etc.
- ☐ I wish to learn more about becoming a volunteer with **S.A.F.E.**
- ☐ "Please notify SAFE if you wish to contribute a cash donation" 618-283-1414
- \$ _____.

IMPORTANT RESOURCE LIST

S.A.F.E 800-625-1414

Fayette County Hosp. (Vandalia) .. 618-283-1231

Greenville Regional Hospital 618-664-1230

St. Mary's Hosp. (Centralia)..... 618-436-6005

St. Joseph's Hosp. (Breese) 618-526-4511

Salem Township Hospital 618-548-3194

St. Anthony's Hosp. (Effingham) .. 217-342-2121

Clay County Hosp. (Flora) 618-662-2131

Crossroads Community Hospital ... 618-241-8756

Washington County Hospital..... 618-327-8236

Fairfield Memorial Hospital 618-842-2611

Child Abuse Hotline 800-252-2873

Good Samaritan Regional -

Healthcare Center 618-242-4600

PAVE 800-924-8444

SWAN 888-715-6260

Elder Abuse Hotline 800-642-7773

DCFS

-Effingham: 217-347-5561

-Salem: 618-548-7300

-Carlyle: 618-594-4541

-Mt. Vernon 618-244-8400

WHAT ARE THE FACTS ABOUT SEXUAL ASSAULT?

- Anyone can be a victim of sexual assault
- A woman is raped every six minutes.
- Each year 90,000 women report rape to law enforcement officials.
- Only three out of ten rapes are reported.
- Research shows 90% of the children assaulted are assaulted by someone they know.
- A large percentage of child sexual assault goes unreported.
- One out of every three females and one out of every six males will be sexually assaulted by the age of 18.
- Victims of sexual assault need support from families, friends and their communities.

ADDITIONAL SERVICES S.A.F.E. PROVIDES INCLUDE:

- Information and Referral.
- Individual Counseling.
- Family Counseling.
- Adult/Child Survivor Groups.
- Adolescent Survivor Groups.
- Treatment of Child Victims.
- Professional Training.
- Community Education Programs.
- Preventive Education.
- Counseling for Non-Offending Family Members.
- Volunteer Programs.



*All services are FREE of charge
and completely confidential.*



SEXUAL ASSAULT AND FAMILY EMERGENCIES

www.safecrisiscenter.org



S.A.F.E.

1410 Sunset Drive, Suite G
Vandalia, IL 62471
618-283-1414

730 East 2nd Street
Centralia, IL 62801
618-533-0475

Community Service Building
1108 S. Willow, P.O. Box 1641
Effingham, IL 62401
217-342-6623

Mt. Vernon Office
Mt. Vernon, IL 62864
618-244-9330

S.A.F.E. is a sexual assault center, serving Bond, Clay, Clinton, Effingham, Fayette, Jefferson, Marion, Washington and Wayne Counties. This non-profit agency provides services for sexual assault victims and their families regardless of their age, race, sex, or sexual preference.

SERVICES PROVIDED

◆ Telephone Crisis Intervention

S.A.F.E. provides services for sexual assault victims and significant others 24-hours a day. When you call our **HOTLINE** number an advocate will return your call.

◆ In-Person Medical Advocacy

S.A.F.E. responds immediately to victims while at the hospital, providing emotional support and knowledge of procedures being performed.

◆ In-Person Legal Advocacy

S.A.F.E. provides assistance and emotional support for victims while at the police station and throughout all court proceedings.

◆ Counseling

S.A.F.E. provides both short and long term counseling for victims and their families.

◆ Educational Prevention Programs

S.A.F.E. provides educational programs in all grade levels of area schools. **S.A.F.E.** also provides educational awareness to individuals, churches and service clubs.

PREVENTIVE MEASURES

◆ At Home

- Lock Doors and Windows.
- Do not open your door to strangers.
- Be aware of your neighbors.

◆ In Your Car

- Lock your car doors.
- Check around and under the car as you are approaching.
- Park in a well-lit area
- When possible, have someone walk you to your car.
- If you are being followed, go to the nearest police station.

◆ When You Are Out

- Have a buddy system wherever you go; have a friend with you. Make sure someone knows where you are and with whom.
- Pay attention to what is happening around you. If you feel threatened, don't be embarrassed about "making waves", asking for help or leaving.
- Be assertive.
- Be more alert to your surroundings by avoiding cell phone use when walking.

If you are sexually assaulted, know that it was not your fault. The person who committed the assault is the one to blame.

CRIME VICTIM RIGHTS

- The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.
- The right of notification of court proceedings.
- The right to communicate with the prosecution.
- The right to make a statement to the court at sentencing.
- The right to information about the conviction, sentence, imprisonment and release of the accused.
- The right to be reasonably protected from the accused through the criminal justice process.
- The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.
- The right to have someone present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice.
- The right to restitution. Under state law, a crime victim is covered by Victim's Rights Amendment if you (or a member of your immediate family) are the victim of a violent crime involving injury, force, threat of injury of force, property loss, sexual conduct, domestic violence or stalking.



S.A.F.E. is funded in part by the United Way.

SEXUAL ASSAULT INCIDENT PROCEDURE BULLETIN FOR LAW ENFORCEMENT—PUBLIC ACT 099-0801

A new law, Public Act 099-0801, contains requirements for law enforcement agencies regarding the handling of sexual assaults and sexual abuse crimes.

This document outlines the provisions of the Act that must be implemented by law enforcement agencies on January 1, 2017:

- Mandatory Report Writing
- Additional Responding Officer Responsibilities
- Collecting, Storing, and Testing of Sexual Assault Evidence
- Release of Information to the Victim Relating to Evidence Testing

Several other provisions, such as developing and implementing agency policy and training for all officers and those investigating sexual assault and sexual abuse cases, have delayed effective dates to allow for the development of policy guidelines and training curricula.

MANDATORY REPORT WRITING

Officers must document every allegation of sexual assault or sexual abuse and prepare a written report when contacted by any of the following:

1. a person who alleges to have been sexually assaulted or sexually abused,
2. hospital or medical personnel, when reporting under the Criminal Identification Act, or
3. a witness who personally observed what appeared to be a sexual assault or sexual abuse or an attempt of either crime.

The victim is under no obligation to speak to an officer or submit to an interview. The officer shall still prepare a report and document any information made available to the officer.

The officer shall write the report without making a determination of whether the statute of limitations has expired.

Third-Party Reports

A victim of sexual assault or sexual abuse may give consent to another person to provide information about the incident to law enforcement. The third-party reporter does not have to disclose the victim's name. The officer must complete a written report if the person contacting law enforcement:

1. provides their own name and contact information, and
2. affirms that he or she has the consent of the victim to make the report.

Officers must give the person making the third party report a copy of all victim notices required under this Act and ask that the person give the notices to the victim.

Reports Regarding an Incident Occurring in Another Jurisdiction

Officers must write a report regardless of the jurisdiction where the incident took place. An officer who receives information about an incident in another jurisdiction must prepare a written report. Within 24 hours of receiving the information, the officer must submit the report to the agency having jurisdiction. Agencies may use the Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction (P.A. 99-0801 – Form D) for this requirement. The law enforcement agency that receives a report from another jurisdiction must confirm receipt. The written confirmation must include:

1. the name of the person who received the report, and
2. a name and phone number of a contact person that can be given to the victim.

Contents of Reports

The written report shall include the following, **if known**:

1. the victim's name or other identifier and contact information,
2. the time, date, and location of the offense,
3. information provided by the victim,
4. information about the suspect, including description and name,
5. names and contact information of persons with knowledge of what happened before, during, or after the sexual assault,
6. names of the medical professionals who examined the victim and any information they provide,
7. if sexual assault evidence was collected, the name and contact information for the hospital, and whether the victim consented to testing of the evidence,
8. if a urine or blood sample was collected and whether the victim consented to testing of a toxicology screen,
9. information the victim consented to allow the medical professionals to disclose, and
10. all other relevant information.

ADDITIONAL RESPONDING OFFICER RESPONSIBILITIES

Officers responding to incidents involving sexual assault or sexual abuse must:

1. provide victims with written information advising them of their rights and options. The written information can be found on the Illinois Attorney General's website, www.illinoisattorneygeneral.gov, and is linked below (P.A. 99-0801-Form A),
2. offer to provide or arrange transportation to a hospital emergency room for medical and forensic services, and
3. if the courthouse is closed but a judge is available, offer to provide or arrange transportation so the victim may file for an order of protection or civil no contact order.

COLLECTION, STORAGE, AND TESTING OF SEXUAL ASSAULT EVIDENCE

All sexual assault evidence collected at the hospital will be released to the custody of law enforcement whether or not the victim has signed a consent form for testing of the evidence. The evidence may include an Illinois State Police Sexual Assault Evidence Collecting Kit, clothing, blood and/or urine samples, and other items.

The hospital will notify the law enforcement agency having jurisdiction when evidence has been collected. The agency shall take custody of the evidence as soon as practicable, but not later than 5 days after the medical forensic exam was completed. If the evidence is not picked up, the hospital will notify the local State's Attorney's Office, which will contact the law enforcement agency within 72 hours to request that the agency take immediate physical custody of the evidence. The mandatory written report of the sexual assault or sexual abuse must include the date and time the evidence was picked up from the hospital.

If the Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form has been signed, the law enforcement agency must, within 10 days of the receipt of the evidence, send the evidence to an Illinois State Police Crime Laboratory or other appropriate laboratory (Northeastern Illinois Regional Crime Laboratory or DuPage County Forensic Science Center) for testing under the Sexual Assault Evidence Submission Act.

If Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form has **not** been signed, the law enforcement agency must store the evidence. If the victim is an adult, the evidence must be stored for 5 years.

If the victim is under 18 years of age, the evidence must be stored until the victim's 23rd birthday. If a law enforcement agency adopts a longer storage policy, it shall notify the victim or the victim's designee in writing of the longer period. The hospital will provide the original consent form to test the evidence to the law enforcement agency which picks up the evidence, for the agency's case file. A sample of the Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form is linked below.

After leaving the hospital, the victim may consent to testing in any of the following ways:

1. signing the original Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form, given to the officer who picked up the evidence, at the law enforcement agency where the evidence is stored,
2. signing a consent form in the presence of a sexual assault advocate who will deliver the written consent to the law enforcement agency on behalf of the victim, or
3. providing verbal consent to the law enforcement agency and confirming the verbal consent by email or fax.

Each law enforcement agency shall develop and implement a protocol for providing information to victims on how to consent to testing after leaving the hospital and the process for notifying a victim or the victim's designee of the impending expiration of the storage period, if such notice is requested by the victim.

RELEASE OF INFORMATION TO THE VICTIM RELATED TO EVIDENCE TESTING

Upon request, each law enforcement agency shall provide the following information in writing to a victim.

1. The date the sexual assault evidence was sent to an Illinois State Police Crime Laboratory or other appropriate laboratory. If this information is requested, it must be provided to the victim within seven days of the transfer of the evidence to the laboratory.
2. Test results provided to the agency by the laboratory, including, but not limited to:
 - whether a DNA profile was obtained from the testing of the evidence;
 - whether the DNA profile developed from the evidence has been searched against the DNA Index System or any state or federal DNA database;
 - whether an association was made to an individual whose DNA profile is consistent with the sexual assault evidence DNA profile, provided that disclosure would not impede or compromise an ongoing investigation; and
 - whether any drugs were detected in a urine or blood sample and information about any drugs detected.

If this information is requested, it must be provided to the victim within 7 days of the law enforcement agency receiving the results from the laboratory.

When a victim has signed a consent form to test evidence at the hospital, the law enforcement agency shall provide the victim, either at the hospital or during the investigating officer's follow-up interview, with written information informing the victim of his or her right to request this information. This information must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate. A victim may designate another person or agency to receive this information.

FORMS FOR LAW ENFORCEMENT USE

Available at www.illinoisattorneygeneral.gov

- Mandatory Notice for Survivors of Sexual Assault (P.A. 99-0801 – Form A)
 - Pursuant to 725 ILCS 203/25(a), at the time of first contact with a victim, a law enforcement officer shall advise the victim of the information on this form, written in a language appropriate for the victim or in Braille, or communicate this information in the appropriate sign language.
- Mandatory Notice of Victim's Right to Information Regarding Sexual Assault Evidence Testing (P.A. 99-0801 – Form B)
 - Pursuant to 725 ILCS 203/35(c), this form must be provided by a law enforcement officer to a victim who has signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview. This form must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate.
- Storage and Future Testing of Sexual Assault Evidence (P.A. 99-0801 – Form C)
 - Pursuant to 725 ILCS 203/30(e), this form shall be provided by a law enforcement officer to a victim who has not signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview.
- Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction (P.A. 99-0801 – Form D)
 - Pursuant to 725 ILCS 203/20(c), a law enforcement agency which receives a report of an incident occurring in another jurisdiction must prepare a written report and send the report to the agency having jurisdiction in person or via fax or email within 24 hours.
 - Pursuant to 725 ILCS 203/20(d), the law enforcement agency that receives a report from another jurisdiction must confirm receipt in person or via fax or email within 24 hours.
- Patient Consent: Collect and Test Evidence or Collect and Hold Evidence Form (Presented to the victim for completion by the hospital and provided to the law enforcement agency picking up the evidence.)
 - Pursuant to 410 ILCS 70/6.5, the hospital will provide the original consent form to test the evidence to victim for completion. The hospital will provide the consent form to the law enforcement agency which picks up the evidence, for the agency's case file.

If you have questions regarding this document,
please contact Jessica O'Leary, Assistant Attorney General,
Office of Illinois Attorney General Lisa Madigan, Policy Division
at joleary@atg.state.il.us or 312-814-1003

or
your agency's legal counsel.



MANDATORY NOTICE FOR SURVIVORS OF SEXUAL ASSAULT*

MEDICAL AND FORENSIC SERVICES

Survivors of sexual assault should seek medical attention as soon as possible. You may request transportation to the hospital.

Services Available

If you request medical forensic services, the hospital must offer a general medical exam, treat injuries, evaluate the need for medications, and collect forensic evidence. Upon request, a hospital must perform a forensic exam and complete an evidence kit up to 7 days after the assault regardless of your age.

Evidence Preservation

You may not be sure whether or not you want to participate in the criminal justice process right now, but it is important to know that critical evidence may be lost if you change clothes; bathe, shower or douche; use the restroom; eat; smoke; or brush teeth or gargle, depending on the nature of the attack.

The sooner the medical forensic exam is performed, the more evidence is available for collection.

Storage of Evidence

If evidence is collected from you, but you are unsure about allowing law enforcement to test the evidence, the evidence will be stored for 5 years or, if you are under the age of 18, until your 23rd birthday. You can consent to test the evidence at any time during this period.

You will NOT be billed for any services provided in the emergency room. In addition, if you are eligible, the hospital will give you a voucher for 90 days of follow-up care.

HOSPITAL INFORMATION

The nearby hospital below provides emergency medical and forensic services for sexual assault survivors:

Hospital Name
Hospital Address

This hospital employs a Sexual Assault Nurse Examiner: Yes / No / Unknown (Circle One)

*This form must be provided by the responding law enforcement agency at time of initial contact pursuant to 725 ILCS 203/25(a). This requirement is effective January 1, 2017.

CIVIL NO CONTACT ORDERS / ORDERS OF PROTECTION

Survivors of sexual assault may petition for a Civil No Contact Order (CNCO) or an Order of Protection (OP) that can order the offender to:

- Stay away from you and away from specific locations, such as your residence, your work, and your school
- Have no contact with you

The CNCO or OP can be obtained in civil court at a local courthouse. You will not pay a fee for requesting the order. While you can obtain a CNCO or OP on your own, it is best done with the assistance of an advocate or attorney. If the courthouse is closed but a judge is available, you may request that the officer provide or arrange transportation to the judge.

You may be able to obtain sexual assault support services for free. These services include advocacy, counseling, assistance with information about the medical forensic exam, understanding the criminal justice system, and obtaining a Civil No Contact Order or an Order of Protection. You are encouraged to contact:

Rape Crisis Center Name	Hotline Number
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RESPONDING LAW ENFORCEMENT AGENCY

Responding Officer's Name	Star/Badge Number
Responding Law Enforcement Agency Name	Agency Phone Number
Report Number	Date

LAW ENFORCEMENT AGENCY WHICH WILL COMPLETE INVESTIGATION

Law Enforcement Agency Name
Law Enforcement Agency Address
Law Enforcement Agency Phone Number

MANDATORY NOTICE OF VICTIM'S RIGHT TO INFORMATION REGARDING SEXUAL ASSAULT EVIDENCE TESTING*

You have consented to the testing of sexual assault evidence collected in your case.

This law enforcement agency must provide you with the following information regarding the testing of the evidence, at your request. You may designate another person to receive this information on your behalf.

You are entitled to the following information:

1. The date the sexual assault evidence was sent to an Illinois State Police Crime Laboratory or other appropriate laboratory by this agency. If you request this information, it must be provided to you within seven (7) days of the transfer of the evidence to a lab by this law enforcement agency.
2. Test results provided to this agency by the laboratory, including, but not limited to:
 - DNA test results, and
 - whether any drugs were detected in a urine or blood sample and information about any drugs detected.

If you request this information, it must be provided to you within seven (7) days of this law enforcement agency receiving the results from the laboratory.

Requesting the Information

You may submit a request for this information at this time or by contacting this law enforcement agency at the address or phone number below at a later date.

Law Enforcement Agency	
Address	
Phone Number	Email (if available)
Report Number	

You or your designee must keep the law enforcement agency informed of the name, address, phone number and email of the person to whom information should be provided and any changes to that information.

* This form must be provided by a law enforcement officer to a victim who has signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview. This form must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate pursuant to 725 ILCS 203/35(c). This requirement is effective January 1, 2017.

STORAGE AND FUTURE TESTING OF SEXUAL ASSAULT EVIDENCE*

A consent form to test the sexual assault evidence collected today must be signed before law enforcement can send this evidence to a laboratory to be tested. You have indicated that you do NOT want to sign the consent for testing at this time.

If you are an adult, this evidence will be stored by law enforcement for five (5) years from today's date, _____.

If you are under 18 years of age, this evidence will be stored until your 23rd birthday.

You may request to be notified prior to the destruction of the evidence at the end of the storage period. This evidence will be stored at the law enforcement agency list below.

A consent form for the testing of this evidence may be signed at any time during the storage period. This can be done by contacting the law enforcement agency listed below or by working with an advocate from a rape crisis center.

Law Enforcement Agency
Address
Phone Number
Report Number

Rape Crisis Center
Address
Phone Number

*This form shall be provided by a law enforcement officer to a victim who has not signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview, pursuant to 725 ILCS 203/30(e). This requirement is effective January 1, 2017.

**Confirmation of Transfer of Sexual Assault Report
to Law Enforcement Agency Having Jurisdiction**

Within 24 hours of receiving a sexual assault report of an incident in your jurisdiction from another law enforcement agency, you must provide that agency with the following information.

Law Enforcement Agency That Received the Initial Sexual Assault Report

Initial Agency Name: _____ **Case Number:** _____

Initial Agency Contact Name: _____

Title: _____ **Phone:** _____ **Fax:** _____

Email: _____

Date Transferred: _____ **Time Transferred:** _____

**Confirmation of Receipt of Sexual Assault Report to be completed by
Law Enforcement Agency with Jurisdiction Receiving Report**

Agency with Jurisdiction Name: _____ **Case Number:** _____

Name of Person Receiving Report: _____

Title of Person Receiving Report: _____

Date Received: _____ **Time Received:** _____

Law Enforcement Agency Having Jurisdiction Contact Information to be Provided to Victim

Agency with Jurisdiction Name: _____ **Case Number:** _____

Name of Contact Person: _____

Title: _____ **Phone:** _____

Email: _____ **Fax:** _____

**This written confirmation shall be delivered in person or via fax or email to
the law enforcement agency that received the initial report.**



Illinois State Police
Law Bulletin – 12/15/2016
Implementation of the Sexual Assault Incident Procedure Act

Illinois State Police Directive OPS-008 states: The Illinois State Police will: I.A. protect the rights of crime victims, I.B. provide referral to appropriate services, I.D. provide a statement and explanation of the rights of crime victims at the initial contact with ISP officers.

Sexual Assault Incident Procedure Act (SAIP), 725 ILCS 203/1 et. seq.

Effective 01/01/2017, the rules governing the procedure for the incidents of sexual assault or sexual abuse will change pursuant to Public Act 099-0801. The statute covers the following offenses: criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual assault.

This document will discuss the changes regarding: (A) first contact with victim; (B) report writing; and (C) third party reporting.

A. First Contact with Victim. (Section 25. Report; victim notice.)

Officers responding to an incident involving a sexual assault or sexual abuse are **required** to do the following at the first contact with the victim:

1. Provide the victim a written document (Mandatory Notice for Survivors of Sexual Assault) which provides the victim with information concerning their rights and options regarding seeking medical attention, preserving evidence, and other pertinent information. On this document, the responding officer **shall** provide the officer's name and badge number. This form can be found at www.illinoisattorneygeneral.gov and will be available soon on the Document Library.
2. Offer to provide or arrange for transportation to a hospital for emergency and forensic services.
3. Offer to provide or arrange for transportation to the courthouse or, if after hours, to the on-call judge so the victim can file a petition for an order of protection or an emergency civil no contact order.

If the first contact occurs at a hospital, the responding officer may request that the hospital provide translation services.

B. Report Writing. (Section 20. Reports by law enforcement officers.)

Regardless of the jurisdiction where the alleged sexual assault or sexual abuse occurred, a law enforcement officer is **required** to complete a written police report. This requirement is triggered by receipt of any one of the following:

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 staff as provided by Section 3.2 of Criminal Identification Act.
3. Information from a witness who personally observed what appeared to be a sexual assault or abuse or an attempted sexual assault or sexual abuse.

4. A report may also be required pursuant to the conditions of Third Party Reporting. (See subsection (C)).

Section 20 also provides what information the written report **shall include, if known** - any known information regarding the victim, the suspect, witnesses, and the circumstances surrounding the event (names, contact information, time date, location, etc.). In addition, the report must include the following, along with any other relevant information:

- ☐ Names of medical professionals who provided a medical forensic examination of the victim and any information they provided about the sexual assault or abuse.
- ☐ Whether a sexual assault kit was completed, the name and contact information for the hospital (staff), and whether the victim consented to testing of the evidence kit by law enforcement.
- ☐ Whether a urine or blood sample was collected and whether the victim consented to testing of a toxicology screen by law enforcement.
- ☐ Information the victim related to medical professionals during a medical forensic examination which the victim consented to disclosure to law enforcement.
- ☐ Section 30 (b) requires the written report include the date/time the sexual assault evidence was picked up from the hospital and the date it was submitted to the lab.

If the incident occurred in another jurisdiction, the law enforcement officer taking the report must submit it to the law enforcement agency having jurisdiction within 24 hours of receiving the information. Within 24 hours of receiving such a report, the receiving agency shall submit a written confirmation to the agency that wrote the report; that confirmation shall include the name of the person receiving the report, and a name and phone number of a contact person to be provided to the victim.

In addition to the reporting requirements, Section 20(e) provides that a victim of sexual assault or sexual abuse will not be required to submit to an interview with law enforcement. Moreover, Section 20(f) states that no law enforcement agency may refuse to complete a written report on any ground. Law enforcement officers shall document available information without determining whether the statute of limitations has expired.

C. Third Party Reporting. (Section 22. Third Party Reports.)

A victim of sexual assault or sexual abuse is allowed to give another person consent to report the incident to law enforcement. In the event of a third person report, an officer **shall** prepare a written report if:


1. The person contacting law enforcement provides their own name and contact information; and
2. The person contacting law enforcement affirms that the person has the consent of the victim of the sexual assault or sexual abuse.

In other words, in a third party reporting situation, the officer **shall** prepare the report once the officer is furnished the third-person's name and contact information and the officer is satisfied the third-person was granted consent by the victim to report the incident. **The third party reporter does not have to provide the name of the victim.** The Mandatory Notice for Survivors of Sexual Assault form shall be provided to the third party at the time of initial contact in this circumstance for provision to the victim.

Other important considerations:

1. SAIP provides that any victim has five (5) years from the completion of the sexual assault kit or five (5) years from the age of 18 (whichever is longer) to consent, in writing, to testing of the kit. Section 30 (d). Therefore, the sexual assault kit must be held in evidence for that time period by the law enforcement agency.
2. SAIP also requires law enforcement keep the victim informed regarding the testing of a kit that the victim has authorized to be tested. Section 35.
3. Section 30(d) unequivocally states that no law enforcement agency may refuse or fail to send sexual assault evidence for testing once a victim releases the evidence for testing.

Future Guidance:

-  All officers receiving a report of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual assault are responsible for complying with the contents of this training bulletin regardless of where the alleged incident occurred.

If you have any questions regarding the Legal Guidance given herein, please contact the Illinois State Police Legal Office at (217) 782-7658.

Forms

Victim notices to be provided by law enforcement per the Sexual Assault Incident Procedure Act:

Mandatory Notice for Survivors of Sexual Assault (P.A. 99-0801 – Form A)

- Pursuant to 725 ILCS 203/25(a), at the time of first contact with a victim, a law enforcement officer shall advise the victim of the information on this form, written in a language appropriate for the victim or in Braille, or communicate this information in the appropriate sign language.

Mandatory Notice of Victim's Right to Information Regarding Sexual Assault Evidence

(P.A. 99-0801 – Form B)

- Pursuant to 725 ILCS 203/35(c), this form must be provided by a law enforcement officer to a victim who has signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview. This form must also be provided to a victim who signs a consent form to test sexual assault evidence at the law enforcement agency or with the assistance of a rape crisis advocate.

Storage and Future Testing of Sexual Assault Evidence (P.A. 99-0801 – Form C)

- Pursuant to 725 ILCS 203/30(e), this form shall be provided by a law enforcement officer to a victim who has not signed a consent form to test evidence at the hospital, either at the hospital or during the investigating officer's follow-up interview.

Confirmation of Transfer of Sexual Assault Report to Law Enforcement Agency Having Jurisdiction

(P.A. 99-0801 – Form D)

- Pursuant to 725 ILCS 203/20(c), a law enforcement agency which receives a report of an incident occurring in another jurisdiction must prepare a written report and send the report to the agency having jurisdiction in person or via fax or email within 24 hours.
- Pursuant to 725 ILCS 203/20(d), the law enforcement agency that receives a report from another jurisdiction must confirm receipt in person or via fax or email within 24 hours.