

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

OFFICER-INVOLVED CRIMINAL SEXUAL ASSAULT INVESTIGATION

Reviewed by: Sergeant T. McClusky	Effective Date: January 1, 2018
Authorized by: Asst. Chief Clay Wheeler	Revision Date: June 13, 2019

PURPOSE

To ensure in the event of an "officer-involved criminal sexual assault" proper procedures are followed in accordance with the Law Enforcement Criminal Sexual Assault Investigation Act.

DEFINITIONS

5 ILCS 815/5

Law Enforcement Agency means an agency of this State or unit of local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.

Law Enforcement Officer or Officer means any person employed by a State, county, or municipality as a policeman, peace officer, or in a like position involving the enforcement of the law and protection of public interest at the risk of the person's life.

Officer-Involved Criminal Sexual Assault means an alleged violation of Section 11-1.20 (Criminal Sexual Assault), 11-1.30 (Aggravated Criminal Sexual Assault), 11-1.40 (Predatory Criminal Sexual Assault of a Child), 11-1.50 (Criminal Sexual Abuse), or 11-1.60 (Aggravated Criminal Sexual Abuse) of the Criminal Code of 2012 while an officer is on duty.

PROCEDURE

In the event an individual alleges an officer of the Bloomington Police Department committed a violation of 11-1.20, 11-1.30, 11-1.40, 11-1.50, or 11-1.60 of the Criminal Code of 2012 while on duty, the **Illinois State Police shall be contacted and the matter referred to them for investigation.** This should be done by calling the ISP Pontiac Communication Center (815) 844-1500 or (815) 844-1523 and asking for the Shift Supervisor of ISP Zone Investigations. The Shift Supervisor will then make the proper notifications. It may be necessary to coordinate with them regarding the initial report and timeliness of their response.

In the event the Bloomington Police Department is contacted by another agency and asked to investigate an Officer-Involved Criminal Sexual Assault involving one of their officers, an on-duty supervisor shall assess our ability to conduct the investigation, trying to accommodate the request whenever possible, especially for area partnering jurisdictions. If extensive travel or resources would be required said supervisor shall consult the Chief or his designee.

If the on-duty supervisor determines BPD will investigate the allegations the on-duty supervisor shall coordinate the response with the Investigative Division. The investigation will be completed in accordance with the following guidelines:

(5 ILCS 815/10)

Sec. 10. Investigation of officer-involved criminal assault; requirements.

- (a) Each law enforcement agency shall have a written policy regarding the investigation of officer-involved criminal sexual assault that involves a law enforcement officer employed by that law enforcement agency.
- (b) Each officer-involved criminal sexual assault investigation shall be conducted by at least 2 investigators or an entity comprised of at least 2 investigators, one of whom shall be the lead investigator. The investigators shall have completed a specialized sexual assault and sexual abuse investigation training program approved by the Illinois Law Enforcement Training Standards Board or similar training approved by the Department of State Police. No investigator involved in the investigation may be employed by the law enforcement agency that employs the officer involved in the officer-involved criminal sexual assault.

(5 ILCS 815/15)

Sec. 15. Intra-agency investigations. This Act does not prohibit a law enforcement agency from conducting an internal investigation into the officer-involved criminal sexual assault if the internal investigation does not interfere with the investigation conducted under the requirements of Section 10 of this Act.

(5 ILCS 815/20)

Sec. 20. Compensation for investigations. Compensation for participation in an investigation of an officer-involved criminal sexual assault under Section 10 of this Act may be determined in an intergovernmental or interagency agreement.