

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

SEXUAL ASSAULT INVESTIGATIONS

Reviewed by: Lt. James B. Clesson	Effective Date: February 1, 2018
Authorized by: Chief Jamal A. Simington	Revision Date: March 3, 2026

PURPOSE

The purpose of this Standard Operating Procedure (SOP) is to outline the procedures for conducting sexual assault investigations in accordance with the Illinois Sexual Assault Incident Procedure Act ([Public Act 99-0801](#)).

Public Act 99-0801 establishes several requirements related to mandatory report writing, additional responsibilities for responding officers, the collection, storage, and testing of sexual assault evidence, and the release of information to victims regarding evidence testing.

POLICY

It is the policy of the Bloomington Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

DEFINITIONS

Consent: A freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused will not constitute consent. The victim's manner of dress at the time of the offense will not constitute consent. A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct. [720 ILCS 5/11-1.70]

Evidence-based, trauma-informed, victim-centered: Policies, procedures, programs, and practices that have been demonstrated to minimize retraumatization associated with the criminal justice process by recognizing the presence of trauma symptoms and acknowledging the role that trauma has played in a sexual assault or sexual abuse victim's life and focusing on the needs and concerns of a victim to ensure compassionate and sensitive delivery of services in a nonjudgmental manner. [725 ILCS 203/10]

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Law enforcement agency having jurisdiction: The law enforcement agency in the jurisdiction where an alleged sexual assault or sexual abuse occurred. [725 ILCS 203/10].

Sexual assault evidence: Evidence collected in connection with a sexual assault or sexual abuse investigation, including, but not limited to, evidence collected using the Illinois State Police Sexual Assault Evidence Collection Kit as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act or a urine sample collected when there is reasonable cause to believe that a person has consumed a controlled substance without his or her consent. [410 ILCS 70/1a; 725 ILCS 203/10].

Sexual assault or sexual abuse: Defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act. An act of nonconsensual sexual conduct or sexual penetration, as defined in Section 11-0.1 of the Criminal Code of 2012, including, without limitation, acts prohibited under Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012. [725 ILCS 203/10]

PROCEDURE

MANDATORY REPORT WRITING

Officers are required to 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 reporting under the Criminal Identification Act.
3. A witness who personally observed a sexual assault or sexual abuse, or an attempt of either.

The victim is not required to speak to the officer or participate in an interview. Nevertheless, the officer must still prepare a report documenting all information available to them.

The officer is responsible for writing the report without determining whether the statute of limitations has expired.

THIRD-PARTY REPORTS

A victim of sexual assault or sexual abuse may grant consent for another person to report the incident to law enforcement. The third-party reporter does not need to disclose the victim's name. However, the officer must complete a written report if the third-party:

1. Provides their own name and contact information.
2. Affirms that they have the victim's consent to make the report.

Officers must also provide the third-party reporter with copies of all victim notices required under this Act and ask them to deliver these notices to the victim.

REPORTS REGARDING AN INCIDENT IN ANOTHER JURISDICTION

Regardless of where the incident occurred, officers must document the event and write a report. Within 24 hours of receiving information about an incident in another jurisdiction, the officer must submit the report to the agency having jurisdiction.

[The Confirmation of Transfer of Sexual Assault Report to Law Enforcement Having Jurisdiction](#) form can be used for this purpose.

The agency receiving the report must confirm receipt and provide the victim with a written confirmation that includes:

1. The name of the person who received the report.
2. A contact name and phone number that the victim may reach out to.

Sexual Assault Cases – Transferring to the Chicago Police Department

The following email address should be used to increase efficiency when transferring cases to the Chicago Police Department (CPD):

chicago@chicagopolice.org

The typical response time is approximately 24 hours.

The submitting officer will usually receive a phone call from a CPD officer confirming receipt of the transfer. This confirmation must be documented in the report.

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
10. All other relevant information.

ADDITIONAL RESPONDING OFFICER RESPONSIBILITIES

Officers responding to sexual assault or sexual abuse incidents must:

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1. Provide victims with written information about their rights and available options.
If the Mandatory Notice for Survivors of Sexual Assault form is issued by mail, officers should make a reasonable effort to follow up with the victim to explain the contents of the form and address any questions
2. Offer or arrange transportation to a hospital emergency room for medical and forensic services.
3. If the courthouse is closed but a judge is available, offer to arrange transportation so the victim can file for an order of protection or civil no-contact order.

MEDICAL PROFESSIONAL'S REPORTS

Medical reports and patient consent forms are sealed inside the Sexual Assault Kit after being completed by medical staff. It is critical that copies of these documents are obtained *before* sealing.

1. If you are the initial responding officer at the hospital, ask or remind the attending nurse to make copies of the medical professional's reports and patient consent forms *before* sealing them inside the Sexual Assault Kit.
2. If you are the officer assigned to pick up the Sexual Assault Kit, confirm that copies of the required documents have been made and provided *before* the kit is sealed.

Upon returning to the police department:

1. Scan the medical professional's reports and patient consent forms.
2. Upload the scanned copies to Evidence.com.
3. Package the original documents in a manila envelope.
4. Submit the envelope to Standard Evidence Locker #8.

SUPERVISOR RESPONSIBILITIES

Upon receiving preliminary information from the initial responding officer, the supervisor shall:

1. Assess whether the involvement of a crime scene investigator would be beneficial to the investigation and/or the victim;
2. If immediate investigative attention is warranted, the supervisor shall contact — or direct that contact be made with — the on-call Criminal Investigations staff member, who will then determine whether a detective response is necessary and initiate appropriate notifications

MANDATORY FORMS

Forms required by this Act are available for download on the Attorney General's website and are offered in several languages. [Click here for link to most up to date forms.](#)

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

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.

Note: The [Patient Consent: Collect and Test Evidence or Collect and Hold Evidence form](#) is **not** to be issued by officers. This form is issued and completed by the hospital. The hospital will have the most up-to-date version and is responsible for providing the completed form to the officer.

COLLECTION, STORAGE, AND TESTING OF SEXUAL ASSAULT EVIDENCE

All sexual assault evidence collected at the hospital must be transferred to law enforcement custody, regardless of whether the victim has signed a consent form for testing. This evidence may include an Illinois State Police Sexual Assault Evidence Collection Kit, clothing, blood or urine samples, and other items.

The hospital will notify the law enforcement agency when evidence has been collected. The agency must take custody of the evidence as soon as possible, but no later than 5 days after the medical forensic exam is completed. If the evidence is not collected within that time frame, the hospital will inform the local State's Attorney's Office, which will then contact the law enforcement agency within 72 hours to arrange for immediate pickup.

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

If the victim has not signed the consent form, the agency must store the evidence. For adult victims, the evidence must be stored for 10 years. For victims under 18 years of age, the evidence must be stored until the victim's 28th birthday. If the agency has a longer storage policy, the victim or their designee must be notified in writing.

Note: The hospital typically ensures that the consent form for testing is signed, with either Option A, Option B, or Option C selected. Selecting Options A or B does *not* guarantee that evidence will be collected. For example:

1. A forensic exam may not be conducted;
2. A forensic exam may be conducted without evidence collection;
3. A forensic exam may be conducted without photographs.

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.

RELEASE OF INFORMATION TO THE VICTIM RELATED TO EVIDENCE TESTING

Upon request, law enforcement agencies must provide the following information to victims:

1. The date the sexual assault evidence was sent to a laboratory for testing. This must be provided within 7 days of the evidence being transferred.
2. Test results from the laboratory, including:
 - o Whether a DNA profile was obtained from the evidence.
 - o Whether the DNA profile has been compared to the DNA Index System or any state or federal DNA database.
 - o Whether an individual's DNA profile was found to match the sexual assault evidence, provided that disclosure will not compromise an ongoing investigation.
 - o Whether any drugs were detected in urine or blood samples, and details about those substances.

This information must be provided to the victim within 7 days of the law enforcement agency receiving the results from the laboratory.

Victims who have signed a consent form to test evidence at the hospital will be provided with written information about their right to request this information, either at the hospital or during a

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follow-up interview with the investigating officer. This information must also be provided to victims who sign a consent form to test the evidence at the law enforcement agency or with the help of a rape crisis advocate.

A victim may designate another person or agency to receive this information on their behalf.

If the victim wishes to remain anonymous, the police department should contact the local hospital to obtain the correct report number and kit number.

SEXUAL ASSAULT/ABUSE TRAINING

All sworn officers shall receive evidence-based, trauma-informed, and victim-centered training on responding to and reporting sexual assault and sexual abuse at least once every three years.

Officers responsible for conducting sexual assault and sexual abuse investigations must also complete specialized training that is evidence-based, trauma-informed, and victim-centered, with in-service refresher training required every three years thereafter.

Additional Forms

[McLean County YWCA and Bloomington Police Department MOU](#)

[Link to Law Enforcement Sex Assault Tip Sheet \(quick reference guide\)](#)