

The background of the slide features a large, semi-transparent watermark of the University of Illinois seal. The seal is circular and contains a profile of a Native American figure holding a bow and arrow. The text "UNIVERSITY OF ILLINOIS" is written around the top inner edge of the seal, and the year "1821" is at the bottom. The entire slide has a solid blue background.

Prosecuting Cases *Involving Sexual and* *Dating Violence*

How a crime becomes a conviction

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Step 1: Report

Can't prosecute what we don't know

- Campus Police
- Springfield Police Department
- Healthcare Worker
- Someone you trust

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Step 2: Document

Evidence!

- Sexual Assault Evidence Collection Kit
- Photographs
- Communication
 - Statements by offender



Step 3: Advocate

- Community Partners
 - PCASA
 - Sojourn
- Investigator
 - LLCC PD
 - SPD
 - Etc.
- Prosecutor (SCSAO)
- Court Involvement
 - Civil No Contact Order
 - Order of Protection



Step 4: Patience

- Investigations take time
 - Witness interviews
 - Search Warrants
 - Lab results



Step 5: Filing Decision

- Decision Maker: State's Attorney
 - Sufficiency of evidence?
 - Testimony
 - Physical/scientific
 - Other crimes (limited)
 - Cooperation of victim
- Burden of Proof



Step 6: Trial

- Presentation of evidence
 - Testimony
 - Physical/Scientific
 - Prior acts (very limited)
- Cross Examination
- Defendant's case (if any)
- Verdict



Why Aren't ALL Assaults/Batteries Prosecuted?

- Not all are reported
- Evidentiary problems
 - Elements of the Offense
- Not all survivors want prosecution

Criminal Sexual Assault

- “A person commits criminal sexual assault if that person commits and act of sexual penetration and:
 - (1) uses force or threat of force;
 - (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent
 - (3) is a family member of the victim, and the victim is under 18 years of age; or
 - (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age, but under 18 years of age”

720 ILCS 5/11-1.20



Domestic Battery

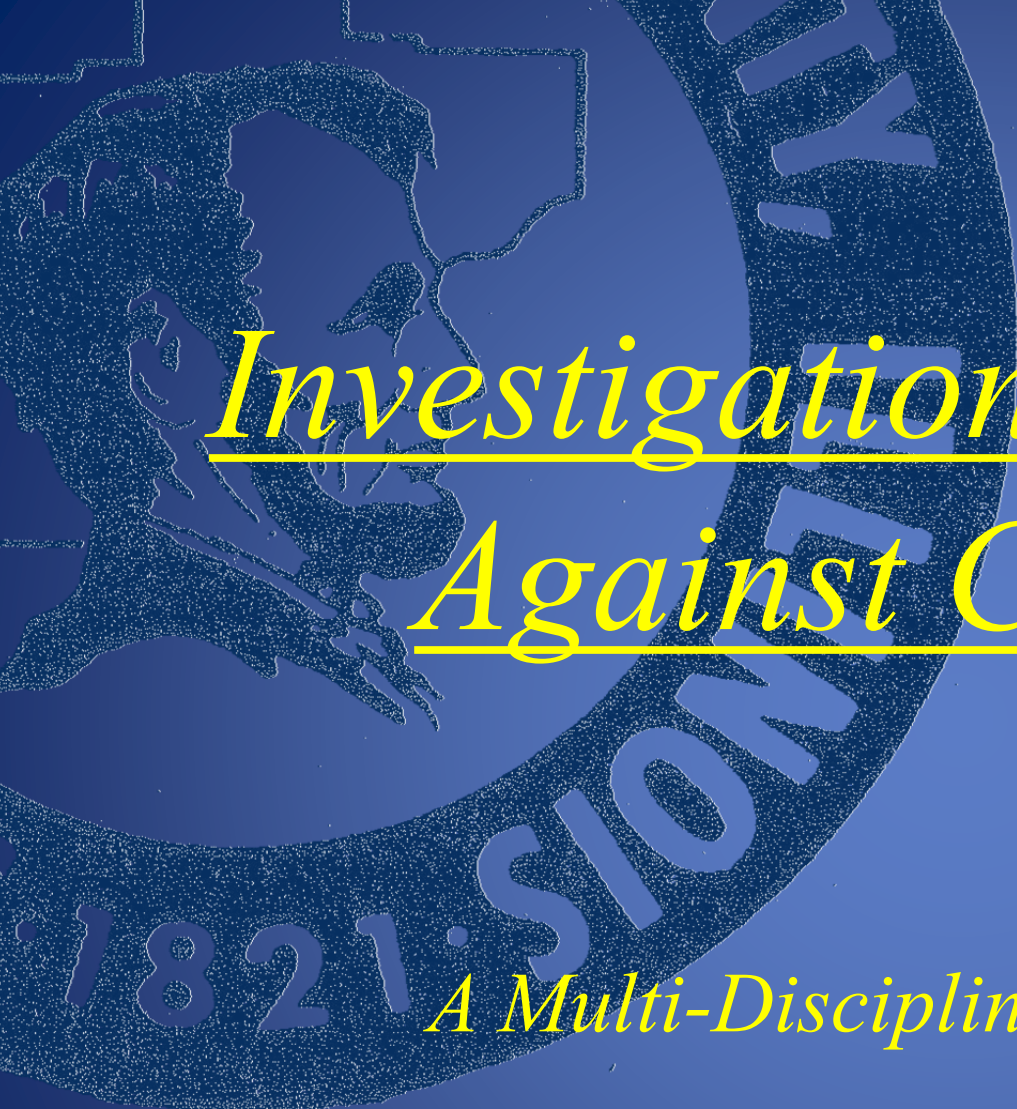
- “(a) A person commits domestic battery if he or she knowingly without legal justification by any means:
 - (1) causes bodily harm to any family or household member;
 - (2) makes contact of an insulting or provoking nature with any family or household member.”

720 ILCS 5/12-3.2

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“Trends”

- “sextortion”
- Electronic communication
 - Spoof numbers
 - Snapchat
 - Wide world of other social media applications
 - Video Games
 - “The Cloud”



Investigation of Crimes *Against Children*

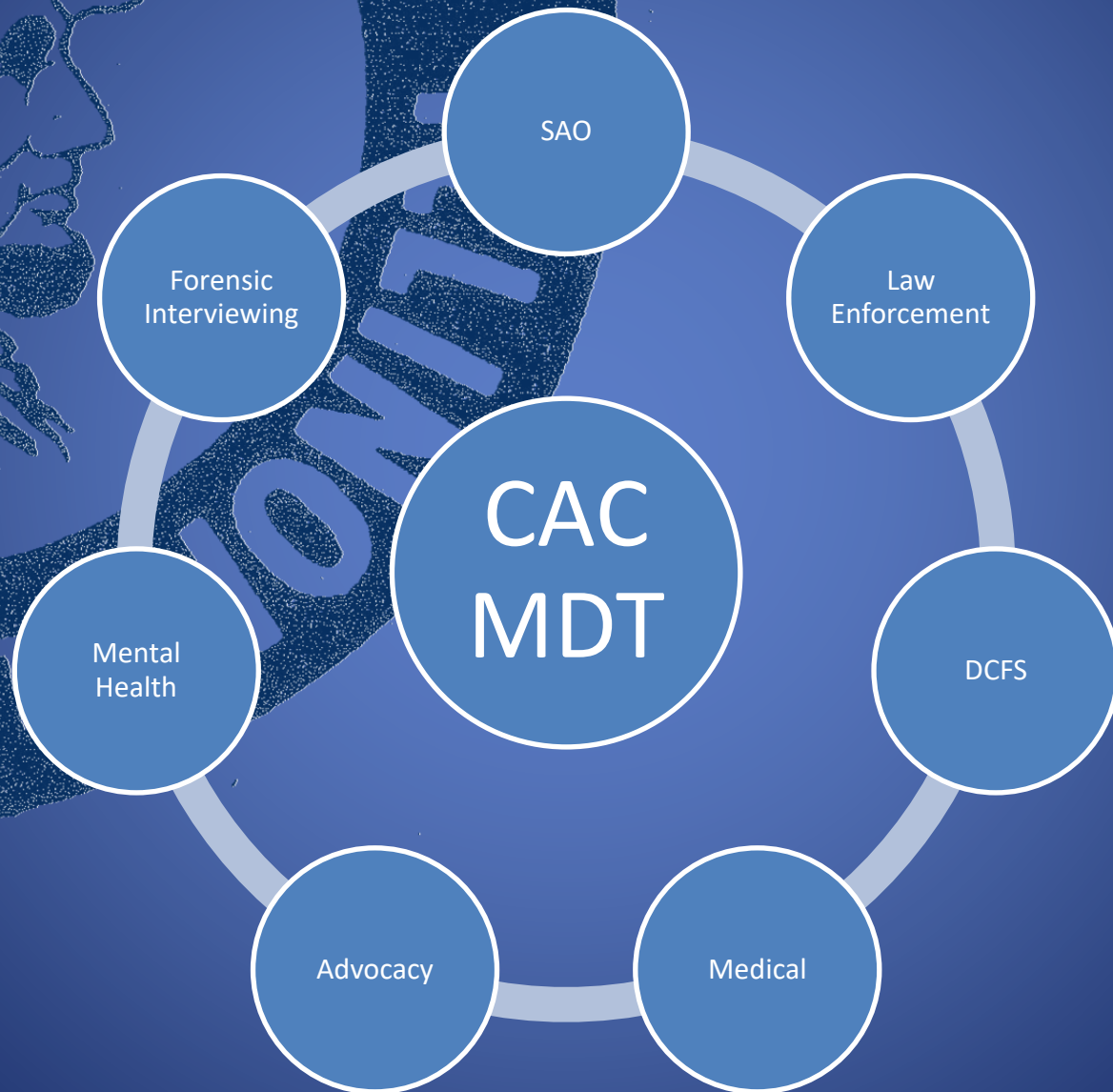
A Multi-Disciplinary Approach

Sangamon County Child Advocacy Center

"If we don't stand up for children, then we don't stand for much."
- Marian Wright Edelman



Multi-Disciplinary Partners



Flow of a CAC Case

- Law Enforcement and DCFS Notification (usually after a disclosure of abuse)
- CAC Notification
- Investigation Begins

- CAC Schedules Forensic Interview
- Forensic Interview Attended by LE and DCFS
- Team Meets to Discuss Investigation Next Steps

- Child is Offered a Medical Exam
- Therapy is Established
- Investigation Continues

- Law Enforcement and DCFS Investigations are Completed
- CAC Compiles All Investigation Documentation
- File Created for SAO Review

Common Dilemmas in CAC Cases

- Minor's family is not cooperative with investigation
- Minor did not disclose abuse
- Disclosure cannot be corroborated
- Delayed Disclosures
- CSI Effect
- Other Evidence issues based on specific elements (age vs. force)



Questions?

Thank you so much for the
opportunity to present!

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