

# SCORECARD

REPORT CARD ILLINOIS | 2020

Final Score  
**68%**

## SCORECARD TOPLINES

Marriage is permitted for minors at 16 years of age with parental consent. Judicial approval is not required for a minor to marry. Does not criminalize interference with religious worship. Does not have a penalty enhancement for crimes motivated by political affiliation or age. An exemption for spousal rape or unwanted sexual contact exists under laws criminalizing sexual contact between people with a supervisory relationship. Does have a reduced statute of limitations for criminal prosecution if a victim chooses not to report or delays reporting the crime. The statute of limitations for the most serious felony sex crime is 10 years or less. The statute of limitations has not been eliminated for all felony sex crimes.

Final Grade  
**C+****10 10 7 7 3 1**

19 10 10 7 4 6

## Child Marriage

The age of consent for marriage is generally 18 years of age. Marriage is permitted for minors at 16 years of age with parental consent. A lower age limit does not exist if a minor is pregnant, was previously married or is in the military. Judicial approval is not required for a minor to marry. No gender difference exists in the lowest age limit allowed.

## Consent to Sexual Contact

The lowest age of consent for sexual contact is 17 years of age. The law does account for a difference in age between the individuals engaging in sexual contact. The law does require consent to be freely given or given by affirmative consent. The law accounts for a person's developmental disability or mental capacity, consciousness, intoxication, and the relationship between a victim and perpetrator impacting the victim's ability to consent to sexual contact.

## Discrimination & Hate Crimes

The state does have a hate crimes law and requires data collection on hate crimes. The state does not criminalize interference with religious worship. The state does have a penalty enhancement for crimes or an independent crime for crimes motivated by race, religion, or ethnicity. The state does have a penalty enhancement for crimes motivated by sexual orientation, gender, or disability. The state does have a penalty enhancement for crimes or an independent crime for crimes motivated by gender identity. The state does not have a penalty enhancement for crimes motivated by political affiliation or age.

# SCORECARD

REPORT CARD ILLINOIS | 2020



## Rape Kit Processing

The state has conducted an inventory of untested rape kits and the inventory is recurring. Testing of the backlog of untested rape kits has occurred through legislative action. Mandatory testing of new rape kits is required to occur. A rape kit tracking system has been implemented through legislative action. A survivor's right to notice does exist. The state has provided funding for rape kit handling reform.



## Spousal Rape

The state does not treat rape of a spouse differently than rape of an individual who is not a spouse of the perpetrator. The state does allow for conviction of a spouse for raping their partner if the partner is unconscious, drugged, or otherwise incapacitated. An exemption for spousal rape does not exist under laws criminalizing statutory rape. An exemption for spousal rape or unwanted sexual contact does exist under laws criminalizing sexual contact between people with a supervisory relationship.



## Statute of Limitations for Sexual Crimes

The state does have a reduced statute of limitations for criminal prosecution if a victim chooses not to report or delays reporting the crime. For certain sex crimes, a 10 year statute of limitations only applies if the victim reports the crime to law enforcement within 3 years after its occurrence. Otherwise, the statute of limitations is 3 years. The statute of limitations for the most serious felony sex crime is 10 years or less. The statute of limitations has not been eliminated for all felony sex crimes. Exceptions to the statute of limitations do exist to allow an exception for DNA evidence. If the victim reports the crime within 3 years of the crime's occurrence, the perpetrator's DNA evidence is entered into the database within 10 years of the crime, and that DNA evidence does not identify the perpetrator, then there is no longer a statute of limitations for that crime.

