

1 AN ACT to create the position of Elderly Service Officer.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the  
5 Elderly Service Officer Act.

6 Section 5. Definitions. In this Act:

7 "Board" means the Illinois Law Enforcement Training  
8 Standards Board.

9 "Elderly person" means a person at least 60 years of age.

10 "Elderly Service Officer" means a sworn police officer  
11 who has completed a Basic Recruit Training Course, has been  
12 assigned to the position of Elderly Service Officer by his or  
13 her chief law enforcement officer and has completed the  
14 necessary Elderly Service Officers' training as prescribed by  
15 the Illinois Law Enforcement Training Standards Board.

16 "Police department" means an agency of the State or a  
17 unit of local government that is vested by law or ordinance  
18 with the duty to maintain public order and to enforce  
19 criminal laws or ordinances.

20 Section 5. Elderly Service Officer; employment. Each  
21 police department with at least 10 sworn police officers and  
22 each county sheriff's office shall employ a senior citizens  
23 advocate/liaison to be known as an Elderly Service Officer.  
24 The Chicago police department must employ at least one  
25 Elderly Service Officer in each police district. Each county  
26 sheriff must make the services of an Elderly Service Officer  
27 available to each police department in the county that  
28 employs fewer than 10 sworn police officers.

29 Section 10. Training. The Attorney General shall conduct

1 the training of Elderly Service Officers according to  
2 standards prescribed by the Board or may authorize others to  
3 conduct the training under standards prescribed or certified  
4 by the Board. The Board may certify the training of Elderly  
5 Service Officers conducted by such schools or agencies as it  
6 deems appropriate. Each training course must consist of at  
7 least 40 hours of instruction.

8 Section 15. Duties. An Elderly Service Officer, within  
9 the jurisdiction of the police department that employed the  
10 Officer, shall:

11 (1) Contact or visit an elderly person who is the  
12 victim of a crime and investigate the alleged crime.

13 (2) Provide information to elderly persons  
14 concerning crime prevention, victim's compensation, and  
15 referrals to social service agencies.

16 (3) Provide information to the police department  
17 concerning the incidence of crime committed against  
18 elderly persons.

19 (4) Cooperate with agencies and other organizations  
20 that provide assistance to elderly persons who are  
21 victims of crime.

22 (5) Safely and expeditiously respond to a complaint  
23 by an elderly person who alleges that he or she is the  
24 victim of a crime.

25 (6) Ensure the safety of an elderly person who is a  
26 crime victim and, if the elderly person needs assistance,  
27 notify appropriate medical, law enforcement, and social  
28 service personnel.

29 (7) Conduct a thorough preliminary investigation of  
30 a crime committed against an elderly person including:

31 (i) identifying the victim, suspects, and  
32 witnesses to the crime;

33 (ii) identifying and preserving the crime

1 scene;

2 (iii) obtaining preliminary statements; and

3 (iv) identifying specific criminal violations.

4 (8) Inform an elderly person who is the alleged  
5 victim of a crime of what his or her responsibilities are  
6 during the investigation, evidence collection, court  
7 appearances, and interviews with law enforcement  
8 officers, assistant State's Attorneys, and others.

9 Section 20. Home rule. A home rule unit may not regulate  
10 the appointment of Elderly Service Officers in a manner  
11 inconsistent with the provisions of this Act. This Section is  
12 a limitation under subsection (i) of Section 6 of Article VII  
13 of the Illinois Constitution on the concurrent exercise by  
14 home rule units of powers and functions exercised by the  
15 State.

16 Section 105. The Attorney General Act is amended by  
17 changing Section 4 as follows:

18 (15 ILCS 205/4) (from Ch. 14, par. 4)

19 Sec. 4. The duties of the Attorney General shall be--

20 First - To appear for and represent the people of the  
21 State before the supreme court in all cases in which the  
22 State or the people of the State are interested.  
23 Notwithstanding this provision, the Office of Public Counsel  
24 shall be authorized to represent the interests of the people  
25 of the State in all proceedings pertinent to utility  
26 regulation, including cases before the supreme court, where  
27 any such case is properly brought by the Office pursuant to  
28 its statutory duties and powers.

29 Second - To institute and prosecute all actions and  
30 proceedings in favor of or for the use of the State, which  
31 may be necessary in the execution of the duties of any State

1 officer.

2 Third - To defend all actions and proceedings against any  
3 State officer, in his official capacity, in any of the courts  
4 of this State or the United States.

5 Fourth - To consult with and advise the several State's  
6 Attorneys in matters relating to the duties of their office;  
7 and when, in his judgment, the interest of the people of the  
8 State requires it, he shall attend the trial of any party  
9 accused of crime, and assist in the prosecution. When the  
10 Attorney General has requested in writing that a State's  
11 Attorney initiate court proceedings to enforce any provisions  
12 of the Election Code or to initiate a criminal prosecution  
13 with respect to a violation of the Election Code, and when  
14 the State's Attorney has declined in writing to initiate  
15 those proceedings or prosecutions or when the State's  
16 Attorney has neither initiated the proceedings or  
17 prosecutions nor responded in writing to the Attorney General  
18 within 60 days of the receipt of the request, the Attorney  
19 General may, concurrently with or independently of the  
20 State's Attorney, initiate such proceedings or prosecutions.

21 Fifth - To investigate alleged violations of the statutes  
22 which the Attorney General has a duty to enforce and to  
23 conduct other investigations in connection with assisting in  
24 the prosecution of a criminal offense at the request of a  
25 State's Attorney.

26 Sixth - To consult with and advise the governor and other  
27 State officers, and give, when requested, written opinions  
28 upon all legal or constitutional questions relating to the  
29 duties of such officers respectively.

30 Seventh - To prepare, when necessary, proper drafts for  
31 contracts and other writings relating to subjects in which  
32 the State is interested.

33 Eighth - To give written opinions, when requested by  
34 either branch of the general assembly, or any committee

1 thereof, upon constitutional or legal questions.

2 Ninth - To enforce the proper application of funds  
3 appropriated to the public institutions of the State,  
4 prosecute breaches of trust in the administration of such  
5 funds, and, when necessary, prosecute corporations for  
6 failure or refusal to make the reports required by law.

7 Tenth - To keep, a register of all cases prosecuted or  
8 defended by him, in behalf of the State or its officers, and  
9 of all proceedings had in relation thereto, and to deliver  
10 the same to his successor in office.

11 Eleventh - To keep on file in his office a copy of the  
12 official opinions issued by the Attorney General and deliver  
13 same to his successor.

14 Twelfth - To pay into the State treasury all moneys  
15 received by him for the use of the State.

16 Thirteenth - To attend to and perform any other duty  
17 which may, from time to time, be required of him by law.

18 Fourteenth - To attend, present evidence to and prosecute  
19 indictments returned by each Statewide Grand Jury.

20 Fifteenth - To carry out the duties prescribed in the  
21 Elderly Service Officer Act.

22 (Source: P.A. 87-466.)

23 Section 110. The State Mandates Act is amended by adding  
24 Section 8.25 as follows:

25 (30 ILCS 805/8.25 new)

26 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6  
27 and 8 of this Act, no reimbursement by the State is required  
28 for implementation of any mandate created by this Act.

29 Section 115. The Illinois Police Training Act is amended  
30 by adding Section 10.6 as follows:

1 (50 ILCS 705/10.6 new)

2 Sec. 10.6. Elderly Service Officer Training. The Board  
3 shall establish standards for the training of Elderly Service  
4 Officers and shall certify training courses for the training  
5 of Elderly Service Officers as provided in Section 10 of the  
6 Elderly Service Officer Act.

7 Section 120. The Counties Code is amended by adding  
8 Section 3-6011.5 as follows:

9 (55 ILCS 5/3-6011.5 new)

10 Sec. 3-6011.5. Elderly Service Officer appointment. Each  
11 sheriff shall appoint an Elderly Service Officer as provided  
12 in the Elderly Service Officer Act.

13 Section 125. The Illinois Municipal Code is amended by  
14 adding Sections 10-1-49 and 10-2.1-31 as follows:

15 (65 ILCS 5/10-1-49 new)

16 Sec. 10-1-49. Elderly Service Officer Act. This Division  
17 is subject to the provisions of the Elderly Service Officer  
18 Act.

19 (65 ILCS 5/10-2.1-31 new)

20 Sec. 10-2.1-31. Elderly Service Officer Act. This  
21 Division is subject to the provisions of the Elderly Service  
22 Officer Act.