

## Illinois Domestic Violence Act Victim Information from the Office of Illinois Attorney Kwame Raoul

**Domestic violence** is a crime. Any person who hits, chokes, kicks, threatens, harasses, or interferes with the personal liberty of another family or household member has broken Illinois domestic violence law. Under Illinois law family or household members are defined as:

- family members related by blood or marriage;
- people who are or used to be married;
- people who share or used to share a home
- people who say they have a child in common;
- people who have a blood relationship through a child;
- people who are dating or used to date, including same sex couples; and
- people with disabilities and their personal assistants.

### Orders of Protection

An order of protection is a court order which restricts someone who has abused a family or household member. An order of protection may:

- prohibit abuser from continuing threats and abuse (abuse includes physical abuse, harassment, intimidation, etc.);
- order abuser out of a shared home or residence;
- order abuser out of that home while they are using drugs or alcohol;
- order abuser to stay away from you and other persons protected by the order and keep abuser from your work, school, or other specific locations;
- prohibit abuser from taking or hiding children, give you temporary custody, or require the abuser to bring the child to court;
- require abuser to attend counseling;
- require abuser to turn weapons over to local law enforcement; and/ or
- prohibit abuser from other actions.

### To Obtain an Order of Protection, You Can:

- Contact a domestic violence program for help completing the forms.
- Ask your attorney to file in civil court.
- Request an order with your divorce.
- Request an order during a criminal prosecution.
- Go to your local circuit court clerk's office and get papers to seek an order of protection for yourself.

### Law Enforcement Response

Law enforcement should try to prevent further abuse by:

- arresting the abuser when appropriate and completing a police report;
- driving you to a medical facility, shelter or safe place or arranging for transportation to a safe place;
- accompanying you back to your home to get belongings; and
- telling you about the importance of saving evidence, such as damaged clothing or property, and taking photographs of injuries or damage.

### Criminal Prosecutions

If an arrest wasn't made and you wish to seek criminal charges against your abuser, bring all relevant information, including the police report number and this form, to your local state's attorney. You may want to contact a local domestic violence program so they can help you through the system.

### If Abuser Contacts You After an Arrest

If the abuser was charged with a crime and you or another victim is a family or household member, that abuser probably was ordered not to contact you for at least 72 hours. If the abuser does contact you soon after an arrest, you should call the police because the abuser can be charged with an additional crime: violation of bail bond.

### Violation of an Order of Protection

You should also call police if the abuser disregards a part of the order of protection, because that is another crime, violation of an order of protection.

### Address Confidentiality Program:

The ACP provides survivors of domestic violence, sexual assault, human trafficking, and stalking with a substitute mailing address to use instead of their home, work and school addresses. The ACP substitute address helps prevent perpetrators from locating survivors through public records. The ACP is NOT a witness protection program that can assist with relocation or a change of identity. The ACP can be a valuable addition to a safety plan, but is not substitute for a comprehensive safety plan.

For more information about how you can protect yourself through the Address Confidentiality Program, please contact our office at: 1-844-916-0295 (Toll-Free), or [acp@ilag.gov](mailto:acp@ilag.gov), or visit [www.illinoisattorneygeneral.gov/victims/address\\_confidentiality.html](http://www.illinoisattorneygeneral.gov/victims/address_confidentiality.html). Individuals with hearing or speech disabilities can reach us by using the 7-1-1 relay service.

### Firearms Restraining Order

#### What is a Firearms Restraining Order?

A Firearms Restraining Order (or "FRO") is a civil court order that temporarily prohibits a person from possessing or buying firearms, ammunition, and firearm parts that could be assembled to make an operable firearm when that person poses an immediate danger to themselves or others. A Firearms Restraining Order is obtained through a formal legal process during which a petitioner asks a court to issue an FRO.

#### Who can petition for an FRO?

If you believe that a family or household member may harm themselves or others by having a firearm, petitioning for an FRO can be an important step to reduce the risk. When petitioning for an FRO, a family member is defined as: a spouse, former spouse, person with whom the respondent has a minor child in common, parent, child, step-child, any other person related by blood or marriage, or a person who shares a common dwelling.

#### How can I get help with this process?

The clerk in the court where you ask for an FRO can assist you with writing and filing a petition. Make sure also to report immediate safety threats to local law enforcement.

You may qualify for both an Order of Protection and the FRO.

#### Where You Can Get Help and Advice:

National Domestic Violence Hotline: 1-800-799-SAFE,

Text "START" to 88788

Illinois Domestic Violence Help Line: 1-877-863-6338

Chicago Rape Crisis Hotline: 1-888-293-2080 (*Chicago area*)

Local Domestic Violence Program: \_\_\_\_\_

Form available from the Office of Illinois Attorney General Kwame Raoul website at [www.IllinoisAttorneyGeneral.gov/women/idva.pdf](http://www.IllinoisAttorneyGeneral.gov/women/idva.pdf).

Officer's Name	Star/Badge #	Date
----------------	--------------	------