

# Domestic Violence Division

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[www.lcsao.org](http://www.lcsao.org)

[facebook.com/lakecountyilsao](https://www.facebook.com/lakecountyilsao) [saolakecountyil](https://www.twitter.com/saolakecountyil)

## Illinois Crime Victims Bill of Rights

The Illinois Constitution provides that crime victims shall have the following rights:

- (1) The right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice process.
- (2) The right to notice and to a hearing before a court ruling on a request for access to any of the victim's records information, or communications which are privileged or confidential by law.
- (3) The right to timely notification of all court proceedings.
- (4) The right to communicate with the prosecution.
- (5) The right to be heard at any post arraignment court proceeding in which a right of the victim is at issue and any court proceeding involving a post arraignment release decision, plea, or sentencing.
- (6) The right to be notified of the conviction, the sentence, the imprisonment, and the release of the accused.
- (7) The right to timely disposition of the case following the arrest of the accused.
- (8) The right to be reasonably protected from the accused throughout the criminal justice process.
- (9) The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail, determining whether to release the defendant, and setting conditions of release after arrest and conviction.
- (10) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.
- (11) The right to have present at all the court proceedings, subject to the rules of evidence, an advocate and other support person of the victim's choice.
- (12) The right to restitution.

These rights are provided by the Illinois Constitution and can be found in the Illinois Compiled Statutes, 725 ILCS 120.

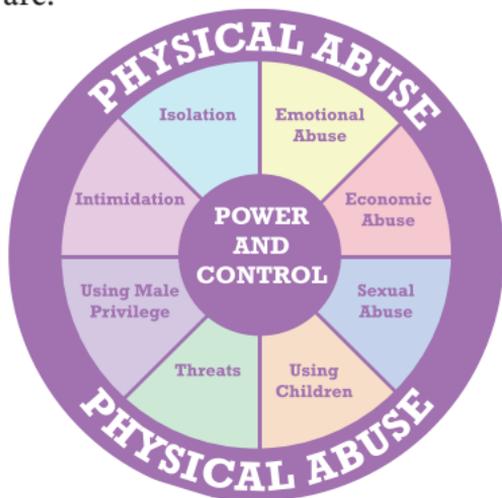
## The Lake County Domestic Violence Division

The Lake County State's Attorney's Office has Victim/Witness Coordinators that specialize in domestic violence. The domestic violence Victim/Witness Coordinator's role is to explain the criminal process, provide community resources, and keep you informed about court dates and procedures.

Policy and procedures are put in place and adopted by the Lake County Domestic Violence Council. These procedures serve as guidelines for the Victim/Witness Coordinator and the Assistant State's Attorney assigned to your case. Our goal is to provide a safer environment for you and your family.

### What is Domestic Violence?

Domestic violence happens when one partner/family member attempts to gain power and control over the other using various forms of abuse. These unhealthy relationships can include physical, emotional/psychological, verbal, economic, and/or sexual abuse. Some examples of different kinds of abuse are:



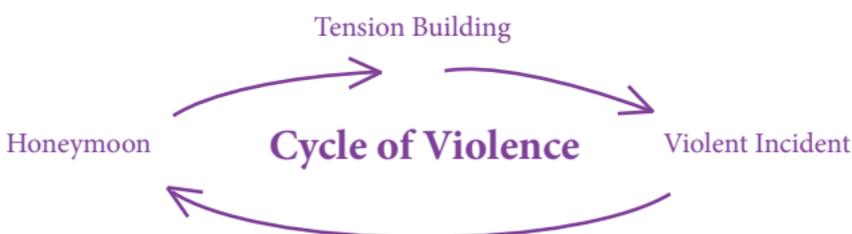
### Physical Violence/Abuse:

- Grabbing or twisting arms/hands
- Hitting with object or fist
- Kicking
- Slapping
- Burning
- Strangling/choking
- Scratching
- Use of weapon (knife, gun, bat)
- Pulling/grabbing hair
- Physical restraint
- Punching
- Biting or spitting
- Pushing
- Throwing things
- Depriving basic needs
- Animal cruelty
- Pinching

## Emotional and Physiological Abuse:

- Controlling whereabouts
- Hiding belongings
- Telling you what to eat and how to dress
- Blaming you for everything that goes wrong
- Depriving sleep
- Accusing of cheating
- Threatening suicide
- Forcing you to use drugs and alcohol
- Blackmail
- Twisting words around
- Put-downs/insults
- Isolation from friends/family
- Making you think you are crazy
- Humiliating you alone or in front of others
- Excessive calling or “checking up” on
- Intimidation
- Manipulation and lies
- Destroying personal property/sentimental items
- Stalking
- Name calling

Abuse is neither constant nor random. There are three phases which vary in time and intensity and tend to occur with increasing frequency and severity if the cycle is not broken.



### Phase 1: Tension Building

This phase is comprised of many minor incidents of abuse, including jealousy, tantrums, controlling behaviors, verbal abuse, threats of violence, etc., that gradually increase in severity. This phase is characterized by the abused partner behaving in ways to avoid conflict and confrontation. Nevertheless, the tension builds until it becomes unbearable and the abuser loses all control.

### Phase 2: Violent Incident

This phase is characterized by explosive and uncontrollable rage. The lack of control and the element of overkill distinguish this phase from the minor incidents of Phase 1. Although your abuser may start out by justifying his/her behavior to him/herself, the abuser ends up in a blind rage. His/her original intent is usually to teach you a lesson and emphasize his/her power, but often the abuser winds up seriously and severely beating you.

### Phase 3: Honeymoon Stage

This phase is characterized as calm when the abuser exhibits kind, loving behavior towards you. The abuser knows he/she has overreacted and is very sorry. He/she wishes to redeem him/herself. Since the tension is gone, the abuser asks for forgiveness. Although he/she honestly believes they will not do it again, the abuser's reason is that you have "learned your lesson" so there will be no more need to exert his/her power.

### Sexual Violence

Sexual violence is any unwanted sexual contact. Sexual violence includes such crimes as rape, incest, statutory sexual assault, sexual harassment and sexual assault, or any sexual contact without consent. Anyone who has been a victim of sexual violence deserves compassion, sensitivity, and care.

### Sexual Assault Investigations

If you have been sexually assaulted, it is important that you seek medical care as soon as possible. Even if you do not have any visible physical injuries, you may be injured, at risk of becoming pregnant or at risk of acquiring a sexually-transmitted disease.

Once you arrive at the hospital, a doctor or nurse will ask your permission to perform an exam and collect evidence using an Illinois State Police Evidence Collection Kit (ISPECK). **This can only be done with your consent.** It is preferable for a **SANE (Sexual Assault Nurse Examiner)** to collect the evidence.

In addition to the Domestic Violence Program, the Sexual Assault and Abuse Program at the Lake County State's Attorney's Office was formed to protect the rights, needs, and dignity of victims. You will primarily interact with our trained and experienced Victim/Witness Coordinators, whose goals are to alleviate your concerns and make the justice system as positive of an experience as possible.

### Teen Dating Violence

Teenagers often experience abuse and violence in dating relationships. In dating violence, one partner tries to maintain power and control over the other through abusive actions. Statistics show that 1 in 3 teenagers have experienced or will experience violence in a dating relationship. If you are a teen experiencing dating violence, it's important to speak up.

**Seek Help!** Talk to people you trust and keep talking until someone listens. Think about talking to a teacher, parent, coach, relative, or friend.

**Educate yourself!** Learn about teen dating violence and healthy relationships to stay safe!

**Create a safety plan!** Decide on a safe location to go and people you can call if you need help. Always let someone know where you are. Create a code word with your friends so you can signal to each other when you need help. Always have your cell phone with you. Keep change or important numbers with you in the event your cell phone is destroyed or taken. Consider changing your school locker and change your route to/from school.

**Call 911!** Never underestimate your gut feeling...stay safe! Get help immediately!

For more information on Teen Dating Violence visit us at [www.lcsao.org/justiceforyouth](http://www.lcsao.org/justiceforyouth).

## **Elder Abuse**

Many older adults who live at home are at risk of abuse, neglect, and financial exploitation by family members and others close to them. These victims of abuse, neglect, and exploitation often are isolated and may be frightened, embarrassed, or unable to seek help for themselves. The Lake County State's Attorney's Office has protocol in place to address crimes against the elderly. If you are a victim of elder abuse or know someone who is, please report the incident immediately to an appropriate police agency. Immediate and effective assistance to elderly victims is imperative to ensuring their safety.

**If you have any questions on Elder Abuse, please give us a call at 847-377-3000.**

## **Investigation Process**

When a domestic situation is reported to a police department, an officer must respond.

When responding to a domestic violence call, law enforcement officers are required by the Illinois Domestic Violence Act to use all reasonable means to prevent further abuse, neglect, or exploitation, including:

- Arrest the abuser when there is enough evidence to believe a crime has been committed. The officer need not have witnessed the crime, as long as there is cause to believe that the abuse has occurred (for example, the victims statement, physical injuries, witnesses, damage to property, and/or risk assessment form).

- Provide you with information on your rights under the Illinois Domestic Violence Act and ways to keep you safe, along with the officer's badge number and name.
- Provide or arrange transportation for you and your children to a hospital or a safe place.
- Accompany you back to your home after the abuser has left, to provide protection while personal belongings are being collected.

### Law Enforcement Responsibilities (750 ILCS 60/304)

If the State's Attorney's Office determines that a crime has been committed, and if the defendant is not in custody, a warrant (a document giving the police the authority to make an arrest) may be issued by a judge. The defendant is then sought out by the arresting agency. If the defendant is already in custody, they will be arrested immediately. After the defendant is arrested, a bond will be set by a judge. A domestic violence Victim/Witness Coordinator will then contact you to inform you of the defendant's status.

The defendant's bond will usually be a No-Contact bond. The bond will remain in effect while the criminal case is pending, unless you have been informed otherwise by the State's Attorney's Office.

A No-Contact bond is strictly enforced and requires that the defendant does not have any contact with the victim by letter, phone, electronically, or through a third party. If the defendant is in custody, the No-Contact bond includes prohibitory phone calls from the jail. There are several reasons why a Judge issues a No-Contact bond- the most important is to ensure your safety during the pendency of the case. If the defendant has contact with you while on bond, you should report the contact right away to your local law enforcement agency. In addition, please report it to the Victim/Witness Coordinator assigned to your case.

### Communicating With Us

Cooperation of victims and witnesses in the investigation and prosecution can be a leading factor in the reduction of domestic violence. Therefore, you should always call the police. It is very important to notify our Office or the investigating agency if you are relocating or changing telephone numbers. Communicating with us is vital. Our Office has partnered with Verizon to have cellular phones available for victims of domestic violence. The HopeLine

project allows for a safe and reliable way for domestic violence victims and survivors to reach emergency or support services in times of crisis and stay connected with employers, our Office, family, and friends. If you would like to be considered for a free HopeLine phone, please call the Victim/Witness Coordinator assigned to your case.

By prosecuting crime, we are taking measures to protect you and your family. Unfortunately, the process takes time. Please know that we realize your time is valuable and we appreciate your cooperation. Your safety is our priority.

You have a voice in this process. Call your assigned Victim/Witness Coordinator with any questions at (847) 377-3000.

## **Most Frequently Asked Questions**

### **How do I drop charges?**

The State's Attorney represents the People of the State of Illinois. When an act of domestic violence or other crime is committed, it is considered a crime against all citizens of the State of Illinois. Your feelings and opinions assist the State's Attorney's Office; however, the prosecutor can go forward with a criminal charge even if you do not wish to prosecute.

### **Do I need to appear on every court date?**

The Victim/Witness Coordinator assigned to your case will inform you of the court dates, but the only time you are obligated to appear is when you receive a subpoena. Please follow up with your Victim/Witness Coordinator after each court date for case status. Please remember, it is not unusual for a criminal case to have several court dates and to be continued for a period of time. Every effort is made to keep you informed in advance, but this is only possible if you notify the State's Attorney's Office of any change of address or phone numbers. Please also provide the domestic violence Victim/Witness Coordinator with friends or family members who you might stay with or who have contact with you.

### **Do I need to talk to the defense lawyer and defense investigator?**

You have a right to refuse to talk to the defense lawyer and defense investigator. The decision is solely up to you.

### **What will happen if the abuser pleads guilty or is found guilty?**

A domestic violence case can have a wide range of dispositions and sentences. The defendant's prior record, your feelings, the type of crime committed, and many other factors play a role in the outcome of the case. It is important that you discuss your feelings and concerns with the

Victim/Witness Coordinator and Assistant State's Attorney assigned to the case.

### **What do I do if my abuser contacts me or wants to talk with me?**

If you have an order of protection that orders the abuser not to contact you, or if the abuser was told at his/her bond hearing not to have contact with you, then the abuser is prohibited from having any form of communication with you. Therefore, if the abuser contacts you, he/she is violating the order of protection and the conditions of his/her bond. A No-Contact order generally includes prohibitory calls from jail. If you have questions about bond conditions, call the Victim/Witness Coordinator assigned to your case. You should immediately report it to the police, Victim/Witness Coordinator, and the prosecutor assigned to your case.

### **Is there a place for my pet to go if I have to leave our residence?**

We will take all possible measures to ensure your pet is safe. We have partnered with Noah's Rest, Inc. to arrange for temporary shelter for pets of domestic abuse victims attempting to leave an abusive situation. Domestic violence and animal abuse are often closely linked. Arrangements can be made by talking with the Victim/Witness Coordinator assigned to your case.

## **Domestic Violence Order of Protection**

An order of protection is one tool that can help you gain your independence and stop your abuser from hurting you or your children. In addition, if there is a pending criminal case, there will be bond conditions. A bond hearing is held after the defendant, a person against whom a criminal proceeding is pending, is arrested. An order of protection and conditions of bond are two separate remedies.

You should discuss, with the domestic violence Victim/Witness Coordinator, ways of ensuring the safety of your family, which can include obtaining an order of protection in addition to bond conditions ordered as part of a criminal prosecution.

### **Who is eligible for a domestic violence order of protection?**

Family or household members:

- Related by blood or by current or former marriage
- Share or formerly shared a common dwelling (home)
- Have or allegedly have a child in common
- Share or allegedly share a blood relationship through a child
- Have or had a dating or engagement relationship
- High risk adult with disabilities who is abused

## Remedies & Protections

The judge can grant up to eighteen remedies: from prohibiting further abuse, ordering the offender to stay away, revoking FOID card, to protecting property and pets, financial support, temporary care of children, and exclusive possession of the home.

For assistance obtaining an order of protection, please contact A Safe Room/D100 at (847) 360-6471 or call the Victim/Witness Coordinator assigned to your case.

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## General Legal Support and Information

**Lake County State's Attorney's Office** lcsao.org (847) 377-3000

**A Safe Place** (800) 600-SAFE (7233)

asafeplaceforhelp.org (847) 249-6557 (TTY)

**A Safe Room/D100 – Order of Protection Help** (847) 360-6471

asafeplaceforhelp.org/content/orders-protection

**Adult Probation Services** (847) 377-4504

(847) 360-2975 (TTY)

**Lake County Bar Association** lakebar.org (847) 244-3143

**Lake County Circuit Court Clerk** (847) 377-3380

lakecountyil.gov/CircuitClerk (847) 360-2975 (TTY)

**Lake County Sheriff** (847) 549-5200 (Voice/TTY)

lakecountyil.gov/Sheriff

**Prairie State Legal Services** (800) 942-3940 (Voice/TTY)

Not-for-profit civil legal support for low-income families and individuals

pslegal.org

**Child Abuse Hotline & IL Dept. of Children & Family Services**

state.il.us/dcfs (800) 25-ABUSE (800-252-2873)

(800) 358-5117 (TTY)

**IL Attorney General Office Automated Victim Notification System**

illinoisattorneygeneral.gov (866) 5-NOTIFY (866-566-8439)

vinelink.com (877) 502-2423 (TTY)

**IL Attorney General Office Victims' Services' Assistance Line & Compensation Program** (800) 228-3368

illinoisattorneygeneral.gov/victims/index.html (877) 398-1130 (TTY)

**IL Department of Corrections – Victim Services** (877) 776-0755

idoc.state.il.us/subsections/vicservices (800) 526-0844 (TTY)

**IL Prisoner Review Board – Victim Services** (800) 801-9110

illinois.gov

**IL Domestic Violence Help Line** (877) TO-END-DV (877-863-6338)

Toll-free, confidential, 24-hour, multilingual hotline

ilcadv.org (877) 863-6339 (TTY)

**National Domestic Violence Hotline** (800) 799-SAFE (7233)

thehotline.org (800) 787-3224 (TTY)

## It is important to remember...

- You must call the police every time the order of protection is violated.
  - You should make multiple copies for school, work, your local police department and carry a copy with you everywhere you go.
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### Teen Dating

<b>Teen Dating Abuse Violence Hotline</b>	(866) 331-9474
Teens & Young Adults Love & Respect	
<b>Order of Protection Assistance (D100)</b>	(847) 360-6471
<b>Lake County Health Department</b>	(847) 377-8000
<b>A Safe Place</b>	(847) 249-4450
<b>Zacharias Sexual Abuse Center/Support Line</b>	(847) 872-7799

<a href="http://lcsao.org/justiceforyouth">lcsao.org/justiceforyouth</a>	<a href="http://thatsnotcool.com">thatsnotcool.com</a>	<a href="http://asafeplaceforhelp.org">asafeplaceforhelp.org</a>
<a href="http://chooserespect.org">chooserespect.org</a>	<a href="http://rainn.org">rainn.org</a>	<a href="http://zcenter.org">zcenter.org</a>
<a href="http://breakthecycle.org">breakthecycle.org</a>	<a href="http://loveisnotabuse.com">loveisnotabuse.com</a>	<a href="http://loveisrespect.org">loveisrespect.org</a>

### Elder Abuse

<b>IL Senior Helpline</b>	(800) 252-8966
<b>IL Elder Abuse &amp; Neglect Hotline</b>	(866) 800-1409
<b>Catholic Charities Elder Abuse Unit</b>	(847) 546-5733
<b>Lake County Health Department</b>	(847) 377-8000
<b>LCHD Psychiatric Crisis Hotline</b>	(847) 377-8088
<b>IL Department of Public Health</b>	(800) 252-4343
<b>IL Healthcare &amp; Family Services</b>	(800) 226-0768
<b>IL Department on Aging</b>	<a href="http://state.il.us/aging">state.il.us/aging</a>
<b>Condell Adult Day Care Center</b>	(847) 990-5800
<b>NE IL Area Agency on Aging</b>	(800) 528-2000

Case #: \_\_\_\_\_

Victim/Witness Coordinator:

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Assistant State's Attorney:

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