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# Domestic Violence

• Illinois •



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# FAQ's

## What is Domestic Violence?

Domestic violence occurs when one party exhibits a pattern of behavior intended to maintain power and control over the other party in an intimate relationship.

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

- People related by blood or marriage
- People who are married or were married
- People who share or used to share a home
- People who have or say they have a child in common or say they have a blood relation through a child
- People who are dating or used to date
- People with disabilities and their personal assistants

For the actual and complete statute, refer to the [Illinois Domestic Violence Act of 1986, 750 ILCS 60](#).



Domestic violence takes many forms, including but not limited to physical abuse. Domestic violence can be any combination of:

- Physical
- Sexual
- Reproductive
- Emotional
- Psychological
- Religious
- Financial
- Child Abuse and Neglect
- Teen Dating Violence
- Elder Abuse and Exploitation



If your family or household member behaves in any of the ways included in this graphic, you are a victim of domestic violence.

# Crisis Response

## What should I do if I witness or experience domestic violence?

Though there is no universal set of steps that will work for everyone, these actions may help:

### #1 Safety First

During an Emergency (if you are threatened or attacked at home):

- As soon as possible, call 911 for help.
- Stay away from the kitchen: the abuser may find weapons such as knives in the kitchen.
- Stay away from bathrooms and closets so that the abuser cannot trap you inside them. Only enter rooms with doors and windows for escape.
- If a police officer arrives, tell them what happened and write down their name, badge number, and phone number.
- If you are injured, see a doctor immediately.
- Take photos of scars or injured areas, which can be used as evidence if you choose to pursue legal action. Even if you have not decided on pursuing legal action, it is best to keep records and all evidence in case you do make that choice later on.

If you are a victim of domestic violence and the abuser is still within close proximity, consider identifying safe spaces and safety plans:

- Plan an escape route from your home and teach it to your children. Think of safe destinations for after your escape.
- Pack necessary and important items in a bag in case you need to leave quickly. Important items to pack include: cellphone and charger, cash, car keys, daily medications, checkbooks, credit cards, and important documents such as orders of protection, court documents, ID, birth certificates, medical records, passport, the lease or deed to your home, work permit, green card, and other immigration documents. Store the bag in a safe place or with a reliable friend or relative.

If the abuser has already moved away:

- Replace the door lock and lock all windows.
- Change your usual travel habits to and from your home.
- Cancel the bank account or credit card that you used together. Open a new account in a different bank.
- Change your passwords and passcodes - emails, internet browser user accounts, social media, etc.
- Tell your children's school and your employer not to tell anyone your address or phone number without your explicit, verbal consent.
- Teach your children how to call 911 and tell the police their address and phone number.
- Give your children's school and your workplace a copy of your Order of Protection and a picture of your abuser. Ask your neighbors to help keep an eye out for the abuser and to help notify you or law enforcement if the abuser is spotted.

# Crisis Response

## #2 Report and Seek Support

Once your safety is secured, there is a wealth of community and legal resources available for you to seek support from and report the incident to.

### Report to a Community Organization for Support Services

Community organizations may be able to provide support and resources, such as finding medical or counseling services, helping you communicate with law enforcement, helping you understand your rights, connecting you to an attorney, and identifying a support network for victims and families. You can also choose to start with multilingual domestic violence hotlines.

### Report to Law Enforcement for Investigation and Prosecution

Domestic violence is against the law. Perpetrators may be subject to criminal and civil liability. Victims and witnesses have the right to report to law enforcement.

- Local Police Department. You can report to your local police department. The police department will make an arrest if they have enough evidence. If no arrest is made, the police should give you a police report.
- Local State's Attorney's Office. If your abuser was not arrested, you can report to your local state's attorney's office. Bring any and all police reports you have ever filed against your abuser. The office may bring criminal charges against your abuser.

# Legal Resources/Tools

## Which Legal Tools can I use to protect myself and my children?

### Domestic Violence Orders of Protection

An Order of Protection is a court order that restricts an abuser's behavior towards and access to the family or household member they abused. Orders of protection are enforced nationwide. This means an Illinois Order of Protection will still protect you if you travel outside Illinois. An emergency Order of Protection takes effect as soon as it is ordered; its protection can last up to three weeks. A plenary Order of Protection takes effect after a judge hears from both you and the abuser; its protection can last two years. An Order of Protection may:

- Order the abuser out of a shared home or residence
- Order the abuser out of a shared home while they are using drugs or alcohol
- Order the abuser to stay away from you and others protected by the order and keep the abuser from your work, school, or other specific locations
- Require the abuser to attend counseling
- Give you temporary custody of your children and order the perpetrator to pay temporary child support
- Require abuser to turn weapons over to local law enforcement

# Legal Resources/Tools

An Order of Protection may also prohibit the abuser from other actions, depending on the situation.

## How to Obtain an Emergency Order of Protection (EOP)

There are several ways to obtain an EOP:

- To self-petition, the petitioner can go directly to the court during service hours. The procedure is:
  1. Arrive at court within three days of the occurrence of the DV incident. If you live in Cook County, go to the IL Circuit Court of Cook County, Domestic Violence Courthouse at 555 W Harrison St, Chicago, IL 60607.
  2. Ask for the Illinois standardized EOP petition form at the Clerk's office and fill it out in person. No interpreter or translator is available on-site to help with the form, so you may want to bring a friend with you for translation.
  3. Once the form is completed and submitted, wait to talk with the judge and present your evidence.
  4. The judge will grant an EOP on the same day if you have sufficient evidence to prove the DV incident. The EOP is only valid for 21 days.
- For assistance with language or for emotional support throughout the petition process, contact a domestic violence victim support organization such as KAN-WIN or Apna Ghar.

- Retain a divorce attorney to file for a protective order along with a divorce petition.
- Request an order during criminal prosecution.

Once you obtain an Order of Protection:

- Carry a copy of your Order of Protection with you at all times.
- Place copies of your Order of Protection at frequently visited locations, such as your car, home, workplace, and children's school or daycare.

*Please Note: No Contact Orders, similar to OPs, are applicable to non-family members.*

## SASETA - Sexual Assault Survivors Emergency Treatment Act

- If you are being sexually assaulted by your family or household member, hospitals are required to provide victims of sexual assault with emergency medical care.
- Sexual Assault Nurse Examiners, or SANE Nurses, are specially-trained medical personnel who process the Rape Kit, which is a standard set of steps and tools used to collect evidence.
- Evidence can be preserved for up to 10 years, or if the victim is a minor, until age 28.

# Legal Resources/Tools

## **VESSA - Victims' Economic Security and Safety Act**

- Allows employees who are victims of domestic violence, or employees who have family or household members who are victims of such violence to take up to twelve (12) weeks of unpaid leave per any twelve (12) month period to seek medical help, legal assistance, counseling, safety planning, and other assistance.
- Prohibits employers from discriminating against employees who are victims of domestic violence, or who have family or household members who are victims of violence.
- Employers with at least 15 employees must provide a job-guaranteed leave (unpaid). Leave time depends on the size of the employer.

## **Safe Home Act**

- The victim of domestic violence can live in his/her current apartment.
- The victim can move out (break the lease) even if the lease contract is not over.
- The victim can change the lock of the apartment if granted a Plenary Order of Protection.

## **CVCA - Illinois Crime Victims Compensation Act**

- The IL CVCA offers reimbursement up to \$27,000 (\$45,000 for crimes on or after 8/7/22) for expenses incurred by eligible victims as a result of a violent crime.

- This law reserved resources to help those whose lives were interrupted by a violent crime. This financial assistance could include offsetting costs related to:
  - ♦ Accessibility and Usability of Property
  - ♦ Crime-Scene Clean Up
  - ♦ Funeral/Burial Expenses
  - ♦ Loss of Earnings
  - ♦ Medical, Hospital and Dental Expenses
  - ♦ Mental Health Counseling Expenses
  - ♦ Relocation Costs
  - ♦ Replacement Costs
  - ♦ Tuition Expenses

## **VAWA - Violence Against Women Act (Self-Petition)**

The Violence Against Women Act allows immigrant victims of domestic violence to apply on their own to permanently stay in the United States with a green card if their abuser is:

- A spouse, former spouse, parent, or child.
- A U.S. citizen or lawful permanent resident.

# Legal Resources/Tools

## U and T Visas

- If you are a victim of domestic violence and are willing to assist in investigations and litigation, you may qualify for a U visa. The U visa allows you to stay and work legally in the United States for 4 years, with the possibility of changing your immigration status.
- If you are a victim of human trafficking, you may qualify for a T visa, which would allow you to stay and work legally in the United States for 3 years, with the possibility of changing your immigration status.



# Local Resources

## Domestic Violence Hotlines

All hotlines listed below are available 24 hours a day, 7 days a week. They provide free, confidential, and multilingual services.

### [National Domestic Violence Hotline](#)

Call (800) 799-7233. If you identify as hearing impaired, call (800) 787-3224 (TTY). You can also use the [live chat](#) online, or text "START" to 88788.

### [Illinois Domestic Violence Helpline](#)

Call (877) 863-6338. If you identify as hearing impaired, call (877) 863-6339 (TTY).

### [KAN-WIN](#)

Call (773)-583-0880. 24/7 hotline. Providing holistic, culturally-specific DV services in English, Korean, Mandarin Chinese, and Mongolian. Services include transitional housing, legal advocacy, case management, counseling, support groups for survivors, children's programs, and more.

## Domestic Violence Shelters

### [Apna Ghar Shelter](#)

4350 North Broadway St, 2nd Floor  
Chicago, IL 60613  
Crisis Hotline: (773) 334-4663  
Text: (773) 899-1041  
Email: [help@apnaghar.org](mailto:help@apnaghar.org)

### [WINGS Women's Shelters](#)

Info: (847) 519-7820  
Crisis Hotline: (847) 221-5680

# Local Resources

## Law Enforcement

Victims have the right to report to law enforcement. Secure the name, badge number, and contact information of the responding officer. You do not need to speak English to contact law enforcement. You can request interpretation services by stating your preferred language.

### [Chicago Police Department](#)

In an emergency, call 911. For non-emergency police services, call 311 or dial (312) 744-5000. You can also file a report with the Chicago Police Department [online](#).

### [Circuit Court of Cook County](#)

Go to the Domestic Violence Courthouse located at 555 W Harrison St, Chicago, IL 60607. The courthouse is open Monday-Friday 8:30 AM - 4:30 PM. Call (312) 325-9500 with any questions.

## Social Service and Legal Aid Organizations

### [CASL Legal Services](#)

If you have any questions about the contents of this brochure or if you would like to speak to an attorney, contact CASL Legal Services at (888) 764-6125 or request an appointment through our website. Eligibility for services is based on income and residency. Scan to request an appointment.



# Local Resources

### [KAN-WIN](#)

For legal advocacy and case management services specific to victims of domestic violence and/or sexual assault, contact KAN-WIN through their 24/7 hotline, (773) 583-0880, or by email at [info@kanwin.org](mailto:info@kanwin.org). Services are available in English, Korean, Mongolian, and Chinese.

### [Life Span](#)

Life Span provides information, advice, legal civil representation, counseling, court advocacy and immigration legal services to victims of domestic violence and sexual assault within Chicago and Suburban Cook County. Legal services are available in English, Spanish, Arabic, Hindi, Urdu, Korean, Russian and Polish. Contact their office at (312) 408-1210 during business hours between 9:00 AM and 5:00 PM for information on how you can access services.

### [VAI Community Empowerment Legal Clinic \(CELC\)](#)

VAI's CELC is a full service legal program operated in partnership with the Community Activism Law Alliance (CALA) which not only serves low-income immigrants and refugees on Chicago's Northside, tackling legal issues and social welfare needs, but also engages community members through advocacy, civic engagement and organizing initiatives. Services are offered in Arabic, Vietnamese, English and Spanish. For more information on scheduling an appointment or participating in the CELC, contact Thuy Mersereau at [thuy.mersereau@hnvi.org](mailto:thuy.mersereau@hnvi.org).



