

# The Compiler

Illinois Criminal Justice Information Authority

Spring 1996

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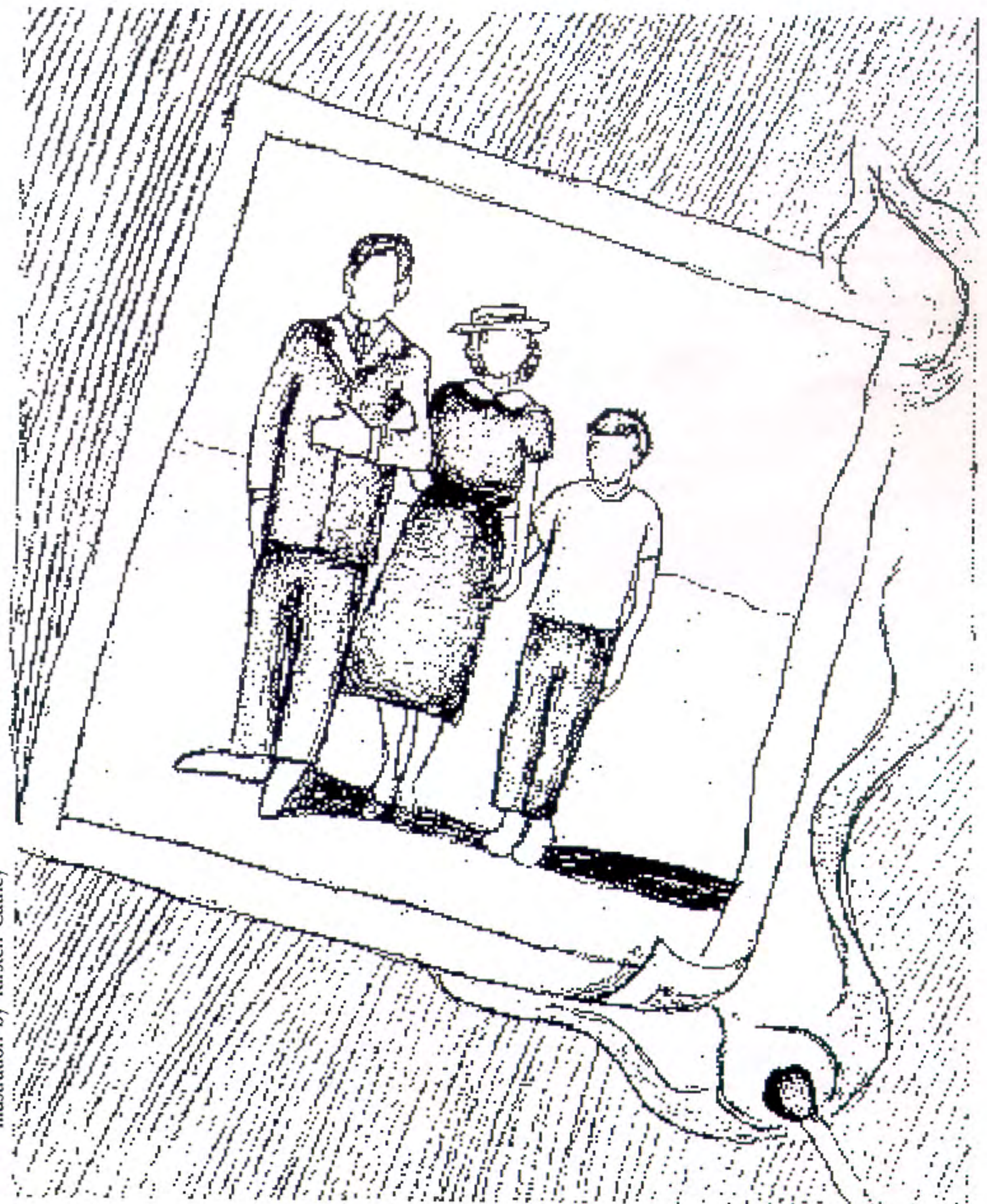


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#### SENIOR EDITOR

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#### MANAGING EDITOR

**Daniel Dighton**

Public Information Officer, Office of Public Information

#### STAFF

**Jeff Travis**

Senior Research Analyst, Research and Analysis Unit

**Kristi Turnbaugh**

Technical Editor, Office of Public Information

Created in 1983, the Illinois Criminal Justice Information Authority is a state agency dedicated to improving the administration of criminal justice. The Authority works to enhance the information tools and management resources of state and local criminal justice agencies, and it serves as a statewide forum for criminal justice coordination, planning and problem solving. It also is responsible for research, information systems development and administration of federal anti-crime funds. The Authority's specific powers and duties are spelled out in the Illinois Criminal Justice Information Act [20 ILCS 3930/1 et seq.].

The Illinois Criminal Justice Information Authority is governed by a 15-member board of state and local leaders from the criminal justice system, plus experts from the private sector. Authority members help develop priorities and monitor their progress. The agency's day-to-day work is carried out by a full-time professional staff working out of the Authority's Chicago office.

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E-mail Managing Editor Daniel Dighton at <ddighton@icjia.org>

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### Guidebook on community policing resources available from the Authority

To assist local law enforcement agencies in developing community policing programs, the Authority has published *Community Policing for Law Enforcement Managers*. Prepared by the University of Illinois at Chicago's Office of Security Programs, the guidebook provides nearly 300 pages of information on the implementation of community policing programs. Executive Director Thomas F. Baker said the guidebook is designed "to provide police departments in Illinois with useful information on community policing. It is intended to help law enforcement managers decide if, when and how to implement a community policing strategy."

The guidebook has been distributed to the more than 400 law enforcement agencies in Illinois who received federal COPS (Community-Oriented Policing Services) grants. Topics covered include the role of the community and police officers, technology available to assist in program strategies, resources necessary for program development and methods for evaluating a community policing strategy. Beyond topical discussions, the book also provides a list of resources for further information.

If you would like to receive a copy of the guidebook, please contact the Authority's Information Resource Center at 120 South Riverside Plaza, Suite 1016, Chicago, IL 60606 or via e-mail: <irc@icjia.org>.

### Association releases sex offender report

The American Probation and Parole Association has released a comprehensive report describing a containment system for the management of adult sex offenders serving sentences in community settings. *Managing Adult Sex Offenders: A Containment Approach*, is based on a national study of sex offender management, conducted by the Colorado Division of Criminal Justice with support from the National Institute of Justice. The document describes a model process for managing adult sex offenders in the criminal justice system, from arrest through parole supervision, and includes chapters written by professionals with expertise in managing this offender population. The Authority's director of research and analysis, Roger Przybylski, co-authored the chapter titled "Evaluating Sex Offender Programs."

Copies of the report can be purchased for \$30 by calling the APPA at 606/244-8207.

### BJS studies: children at high risk for becoming sex offense victims and committing murder

Two studies by the Bureau of Justice Statistics and the Office of Juvenile Justice and Delinquency Prevention show growing involvement of children in two very different areas of the justice system. The first BJS report provides information on the dramatically increasing number of juveniles taken into custody between 1984 and 1994 for murder. The second BJS report indicates that children under the age of 18 were the victims in almost 20 percent of violent crimes perpetrated by state prisoners.

According to *Juvenile Offenders: 1996 Update on Violence*, the number of juvenile murderers tripled between 1984 and 1994, while the number using guns quadrupled during the same period. Eight in 10 juvenile murderers used a firearm in 1994, compared

to five in 10 in 1983. The report also shows that the rate at which juveniles were taken into custody for violent crimes increased 50 percent from 1988 to 1994. Nationwide, juveniles accounted for 19 percent of violent crime arrests in 1994.

*Child Victimizers: Violent Offenders and Their Victims* provides information from a national sample of state prisoners who were sentenced for violent offenses committed in 1991. Study results show that 13 percent of violent state prisoners had raped or sexually molested children, while two-thirds of state prisoners convicted of rape or sexual assault had victimized children. The survey also shows that nearly 90 percent of child victimizers had a previous relationship with their victim, and nearly 33 percent of the victims were either children or stepchildren of their assailant.

Both reports can be obtained by contacting the National Criminal Justice Reference Service, P.O. Box 6000, Rockville, MD 20849-6000, or via e-mail: <askncjrs@ncjrs.aspensys.com.>

### Authority releases new version of PIMS

The Authority's Information Systems Unit has released the first production version of the Police Information Management System for Windows incident module. The new module replaces the previous terminal-based PIMS systems. The updates already have been installed in the original five beta testing sites and will be available to all 51 PIMS agencies in the state as the agencies install required service equipment. PIMS allows law enforcement departments to maintain information about criminal incidents, arrests, offenders and other police operations. It also allows agencies to communicate with one another and share information.

The Authority also has updated various components of ALERTS, the Area-wide Law Enforcement Radio Terminal System. To comply with new secretary of state requirements, ALERTS has been updated to provide a better SOUNDEX system and a READ-ME users system. The SOUNDEX component provides police with a list of names that phonetically resemble the original inquiry. This transaction allows police to gather information even if they do not have the correct spelling or full offender name. The new READ-ME provides a built-in help and instruction system for users that includes an indexed listing of "How-to Tips." ALERTS is the Authority-designed in-car computer terminal system for police.

### Authority's Olson receives national fellowship

David E. Olson, senior research analyst in the Authority's Research and Analysis Unit, has been awarded the Assistant U.S. Attorney General's Graduate Research Fellowship. The fellowship is awarded to doctoral students to assist in the development of dissertation research. Olson's dissertation will be an examination of the impact criminal and juvenile justice system policies and practices have on crime in Illinois. He is a doctoral candidate at the University of Illinois at Chicago.

### New managing editor for *The Compiler*

Daniel Dighton has joined the staff of the Authority's Office of Public Information and assumed the job of managing editor of *The Compiler*. A native of central Illinois, Dighton has a master's degree in journalism from Northwestern University. He has worked as a reporter for newspapers in Illinois and South Carolina and as an editor for United Press International in Washington,

D.C. Comments, inquiries and story ideas can be sent to Dighton at the Authority, 120 S. Riverside Plaza, Suite 1016, Chicago, IL 60606-3997, or via e-mail: <ddighton@icjia.org>.

### Authority Chair addresses legalization of drugs

Authority Chairman Peter B. Bensinger recently gave his opinion on the legalization of drugs in the following letter to the editor of the Chicago Sun-Times. Bensinger was administrator of the U.S. Drug Enforcement Administration from 1976 to 1981 and Illinois director of corrections from 1970 to 1973.

"Judge Richard Neville's call for legalization of drugs reported by the *Chicago Sun-Times* on March 1st is a call for dramatically greater social and economic chaos without reduced criminal activity.

"Legalization of cocaine, marijuana and heroin does not eliminate the drug dealers. If the government were to legalize cocaine, heroin or marijuana, at what purity level would the drugs be made available? The higher the potency, the bigger the psychoactive impact and the more lethal the dosage. The government would not legalize cocaine at 50 percent to 60 percent of purity — at that level it can, and has, caused heart attacks — tachycardia. Len Bias' untimely death is only one example — five people die every day from cocaine. So the government would provide less dangerous cocaine at 10 percent purity, heroin would be at 4 percent and marijuana at 2 percent. What do the drug users want? They want the heaviest hit they can get: crack cocaine that is 90 percent pure; heroin at 35 percent to 40 percent purity; marijuana that is sensimilia (without seeds), at purity levels from 10 percent to 18 percent THC. What will happen is that the drug dealers will offer the now 'legal drug' at high-risk purity, and they will be doing more business than ever because the market will have expanded, more people will be using and more people will be addicted.

"Great Britain tried this experiment in the early 1970s. Heroin was made available freely at the corner chemist to registered users. The police and health authorities expected illegal heroin imports to fall and the drug traffickers to disappear. Heroin users got their free heroin all right, but then they went out on the streets and bought more, illegal heroin, at far more powerful purities. Illegal imports doubled, so did Scotland Yard narcotics arrests. The experiment was abandoned because the traffic in illegal heroin skyrocketed. There is no safe dosage of cocaine. How will we stop dealers from making crack out of legalized cocaine? And what about the age cutoff? Legalized drugs, adults only — does Judge Neville really think legalizing drugs for adults will remove drugs from the hands of our teen-agers? It would be a traffickers' paradise.

"And what will be the healthcare costs when cocaine is available at the corner drugstore? Our hospital emergency rooms and childcare clinics will be flooded with cocaine and heroin infants suffering from withdrawal and compromised health for the rest of their lives, with the taxpayers paying the bill.

"There is no easy answer to stop drug abuse. Legalization would neither cut off crime nor reduce the pressure on our criminal justice system. Some offenders steal and deal in order to feed their habit. But just as many resort to violence and criminal be-

**In Brief continues on page 19**

# Witness to a decade of change

## Criminal justice system makes great strides addressing domestic violence issues, but much work remains

By Candice M. Kane

I'd heard about domestic violence, rape, child abuse and elder abuse when I came to work at the Authority 10 years ago. I knew these acts were crimes, that people could be arrested and prosecuted for hurting a member of their family. I also knew — as did many of my colleagues in the justice system — that arrests, prosecutions and convictions for these crimes were not the norm but the exception.

In 1985, 1,793 offenders were arrested for sexual assault, 32,453 verified reports of child abuse were made to the

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**I didn't know how hard it really was for a victim to participate in the criminal justice process and how little information was given to victims.**

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Department of Children and Family Services and fewer than 5,000 orders of protection were issued. Because prosecution and conviction data were not kept by crime, we had no idea how many of these offenses were brought to court or how many of those charged were found guilty.

I didn't know, but I soon learned, that victims were reluctant to come forward and seek the help of those in the justice system. They feared they would not be believed or that they would somehow be blamed for the crimes committed against them. I didn't know how hard it was for a victim to participate in the criminal justice process and how little information was given to victims, even though they were often essential to a successful prosecution.

### Task forces bring change

All that began to change in the early 1980s. Two federal task forces — the President's Task Force on Victims of Crime and the Attorney General's Task Force on Family Violence — called attention to and described in vivid terms the problems, needs and frustrations of victims, and the response of criminal agencies to them. In Illinois, a turning point was reached with the passage of four laws — the Illinois Criminal Sexual Assault Act of 1984, the Illinois Domestic Violence Act of 1986, the Illinois Bill of Rights for Victims and Witnesses of Violent Crime Act of 1984, and the Elder Abuse and Neglect Act of 1988.

The 1984 criminal sexual assault law made a number of substantive changes to Illinois statutes. It defined four sexual assault crimes and replaced eight statutes that previously governed sexual assaults against adults and children. The new law defined all sex offenses in gender-neutral terms, removed language requiring victims to prove they tried to fight off their attackers and permitted charges to be brought against a husband for the sexual

assault of his wife.

The Illinois Domestic Violence Act of 1982 brought a major shift in domestic violence statutes. Among other things, the law:

- ✓ Expanded the definition of domestic violence victims to include former spouses and those sharing a common household;
- ✓ Included as abuse harassment or interference with the personal liberty of a family or household member;
- ✓ Greatly expanded the remedies available to victims;
- ✓ Extended the time period an order of protection can be in effect; and
- ✓ Clarified steps that should be taken by law enforcement officers.

Subsequent amendments to the act, including a major revision in 1986, have made Illinois' law a model for other states.

The victims' bill of rights for the first time gave crime victims a statutory right to information about the prosecution of their offender and notice of the state's attorney's consideration of a plea bargain. It also allowed presentation of a victim impact statement when the offender is convicted and gave victims access to other information and assistance while a case is underway.

The Elder Abuse and Neglect Act of 1988 established services for people 60 years of age or older who have been victims of elder abuse or neglect.

### Victims find more support

Thanks to the efforts of hundreds of advocates and the willingness of a growing number of police, prosecutors, judges,

clerks, probation officers and corrections officials to change their response to victims of domestic violence, more and more victims today find support and encouragement when they turn to the criminal justice system for help.

Police agencies and prosecutor's offices throughout Illinois are working with advocates to formulate and implement protocols for the handling of domestic violence cases. Training courses are being reviewed and revised by interdisciplinary teams. A domestic violence bench book for judges is being prepared. Local coordinating councils are emerging across the state.

### Impact of changes

That these changes in attitude are having an impact is borne out by data. In 1994, the most recent year for which data are available, 1,986 offenders were arrested for sexual assault, 49,720 verified reports of child abuse were made to DCFS, more than 46,751 orders of protection were issued and nearly 5,000 reports of abuse or neglect were made to the Department on Aging. Unfortunately, we still don't know for specific crimes how many offenders are prosecuted or convicted. Even so, the extent of violence in families is still too high.

Data from the Chicago Homicide Dataset indicate that in 1994, 53 adults (18 and older) were murdered by a spouse or partner. Twelve children (17 and younger) died that year as a result of the actions of one or both of their parents or other adult in the household, such as a mother's boyfriend. Studies by the U.S. Department of Justice and other national organizations continue to suggest that crimes involving family members are underreported.

There is no doubt in my mind that criminal justice agencies in Illinois have significantly improved their response to victims of family violence. When I reflect on the past 10 years, I am pleased and impressed at the progress that has been made.

### The job is not done

But I am frequently reminded that more must be done. There is the victim who wants to know why her abuser is not being arrested for violating an order of protection. There is the police officer who says there is no point in arresting an abuser because the victim won't follow through with a prosecution. There are those in the system who say a victim is too young to be a credible witness. There are elderly people who won't take action against abusive children because they fear the result would be placement in a nursing home. There are problems obtaining statewide data on prosecutions and convictions.

Given the foundation that has been laid in the last decade and the number of criminal justice practitioners who have joined with victim advocates to ensure Illinois' criminal justice system is responsive to all crime victims, I believe that the talent and commitment are there to meet this challenge.

The articles in this issue of *The Compiler* elaborate on these points, illustrating in more detail the successes of our system and the shortcomings that still need to be addressed. ■

— Candice M. Kane,  
Ph.D., is director of the  
Federal and State Grants  
Unit at the Illinois Criminal  
Justice Information Authority.  
Andrea Kushner and Jeff  
Travis, of the Authority's  
Research and Analysis Unit,  
assisted with the research  
for this article.

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**In Illinois, the passage of four laws in the 1980s signaled a turning point.**

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# Better domestic violence data needed for effective intervention

Initiatives are underway to improve reporting and tracking of domestic violence cases on national, state and local levels

By Roger Przybylski

**D**omestic violence has received increased attention in recent years, but it is still a problem we know far too little about. An unknown but significant number of cases never come to the attention of the justice system, and information about the cases that are reported is often incomplete. As a result, we have been largely unable to document with precision the extent and nature of the problem or the effectiveness of certain interventions.

In Illinois, for example, we still don't know how many domestic violence incidents are reported to police in a given jurisdiction or time period. We don't know how many arrests are made for domestic violence, or what happens to the offenders once they enter the criminal justice system.

Overall, we know very little about the level of domestic violence and how it may be changing over time. And we know very little about patterns of domestic violence for different age, race and ethnic groups. This information is vital as a foundation for effective interventions.

## Reporting problems

One of the basic difficulties in developing accurate data on domestic violence lies in our reporting practices. Domestic violence cases are typically recorded as an assault, battery or other crime, without concern for other factors. As a result, domestic violence incidents become lost in a larger pool of crimes grouped together based on a common offense type, rather than the relationship of the victim and offender or any other circumstances.

The irony is that many law enforcement agencies collect information on victim-offender relationships as part of the incident or arrest report, but few have traditionally flagged the information for either their own use or reporting to the state's central statistical repository.

## New reporting system

This problem is not unique to Illinois. With the help of the federal government, states across the country are taking steps to address the situation by implementing a new reporting system known as the National Incident-Based Reporting System, or NIBRS.

Under NIBRS, victim-offender relationship data will be routinely recorded and reported to state data repositories for every criminal incident. While this will greatly enhance our capacity to document the incidence of domestic violence, large-scale changes of the magnitude of NIBRS are not easy to accomplish. They require considerable time and resources, and we are not likely to see a fully operational NIBRS in Illinois for several years. Still, several new data collection efforts aimed at improving the quality of information about domestic violence in Illinois are now underway.

## Other initiatives

More and more law enforcement agencies are beginning to routinely flag domestic violence cases for their own use, and the Illinois State Police is now requesting that local law enforcement agencies report information on domestic violence incidents as part of Illinois' Uniform Crime Report-

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**One of the basic difficulties in developing accurate data on domestic violence lies in our reporting practices.**

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ing Program.

Some circuit court clerks in Illinois are using an automated reporting program that allows them to flag and track orders of protection cases through the court system. Also, the Illinois Family Violence Coordinating Council has established a committee to identify and catalog sources of domestic violence data throughout the state.

Coupled with information currently available in Illinois, such as data on clients served in shelters, these new initiatives will help us better understand the problem of domestic violence and improve our ability to develop effective intervention and prevention strategies. ■

— Roger Przybylski is director of the Research and Analysis Unit at the Illinois Criminal Justice Information Authority.

# Domestic violence victims often feel abused by the system

## Criminal justice officials try new approaches to coordinate services and better respond to the needs of victims

By Daniel Dighton

It is not uncommon for someone abused by a spouse to say they feel victimized twice — with the second time coming at the hands of the criminal justice system they turned to for help.

“It takes a lot of courage for a victim to press charges against a partner,” said Sharon Burner, domestic violence coordinator at the Community Crisis Center in Elgin. “Those of us who work with victims realize how difficult it is.”

But if the abused person encounters a police officer, state’s attorney or judge who doesn’t understand what the victim is going through, or who doesn’t take them seriously, Burner said, “the victim thinks, ‘Why did I go through all this pain again?’ It’s almost like being victimized all over again.”

“In order to risk their safety by calling police, they need to know that everyone is going to do their job and they will be protected. Police have to be trained to assess what happened and they have to be willing to follow through with an arrest,” she said.

According to Burner, inconsistency and excessive delays in court proceedings are among the biggest complaints victims have with the system.

### Domestic violence task force

Last summer, a task force organized by Kane County State’s Attorney David Akemann held public hearings to identify and address problems with the criminal justice response to domestic violence. The task force heard from witnesses who complained that people throughout the system lacked training and an understanding of domestic violence. A recurring theme of the hearings was that victims simply want people within the system to believe them and take their complaints seriously, Akemann said.

“Really, the overall message is that it has to be taken seriously and there has to be a consequence for domestic violence,” he said.

The task force helped the various elements of the criminal justice system forge a partnership with social service agencies to better respond to domestic violence. The hearings helped guide the task force in developing protocols for police and prosecutors. Protocols for judges will be completed soon.

### Domestic violence court

One recommendation of the task force was to have a domestic violence court call. Rather than having cases spread around in different courts, all domestic violence cases would be heard before the same judge. It was considered important to have a judge who understands domestic violence, and who is “willing to stay

the course and try to make it better for the people who come before him or her,” Akemann said.

He predicted that the domestic violence court call would be adopted by the end of the year.

Marylou Shepherd, assistant director of Women’s Crisis Center of Metro East in Belleville, echoed the sentiment that having cases assigned to the same judges and prosecutors would make the courts more consistent and sensitive to domestic violence issues.

Shepherd said people in the criminal justice system will often ask why a woman has returned to an abusive husband.

There are many reasons why it is difficult for a woman to leave an abusive relationship. For example, she may be unemployed or only able to find a job that pays minimum wage, while still supporting her children. Also, the woman has probably been with her husband for several years, and she may have close ties with his family, or she may still love him. The prospect of being alone and on one’s own for the first time in years can be frightening.

“There’s many reasons why she goes back, not just one. They just don’t understand what the woman has gone through,” Shepherd said.

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**“Really, the overall message is that it has to be taken seriously and there has to be a consequence for domestic violence.”**  
— *David Akemann, Kane County state’s attorney*

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## Fear of the system

Many of the same problems that domestic violence victims have with police, prosecutors and judges are also experienced by victims of sexual abuse. B.J. Taylor, executive director of Northwest Action Against Rape in Arlington Heights, said there are far more reports of sexual assaults than prosecutions, largely because of the victims' fears of the criminal justice system.

Of the more than 100 reports of sexual assault that her center received from emergency rooms at seven hospitals in the northwest suburbs last year, fewer than half of the victims went to the police and only a fraction of those cases were prosecuted, Taylor said.

A common problem is that police often begin interviewing a victim by using an accusatory line of questioning. Police are trained to exude authority and take charge of a situation, but that shouldn't prevent them from asking questions in a sensitive manner. "There continues to be a general fear of the insensitivity of the police," she said.

Another problem is that police don't seek the help of victims' advocates often enough, Taylor added. Counselors and advocates can help victims get through a difficult time by helping them better understand the system and the job of the police officer. Of the 24 police departments in the area NWAAR serves, only five call the center immediately when they have a reported sexual assault, she said.

Ninth Circuit Associate Judge Greg McClintock, a former prosecutor in Knox County, said he thinks the system can do more to support victims. Being on the bench, he said, has been an eye-opening experience, and he was surprised at the volume of domestic violence cases and requests for orders of protection.

## Early involvement by prosecutors

One thing that might help, McClintock said, is if the state's attorney's office got involved in civil orders of protection. This would give the victim access to an

attorney who is familiar with how the system works. It also would have strategic advantages for prosecutors. They would be able to evaluate potential witnesses and develop evidence that could be used should the situation turn into a criminal case. If a victim feels the system is behind them, they are going to be more willing to proceed with criminal charges, he said.

Being a judge "has changed my perspective to some extent on what role the state's attorney's office should play," McClintock said. "I think it needs to play

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**"We really haven't been up to task yet on what we need to do, and this is on a statewide basis." — Bob Haida, St. Clair County State's Attorney**

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a more active role with orders of protection than what I think is taking place."

St. Clair County State's Attorney Bob Haida agreed that the system needs to do a better job of assisting victims of domestic violence. "We really haven't been up to task yet on what we need to do, and this is on a statewide basis."

## Aggressive prosecution

After taking office in 1991, Haida instituted a policy of aggressively pursuing all domestic violence cases. This meant that cases would not automatically be dismissed if the victim did not want to prosecute. If the case was serious enough they would go forward and, if necessary, subpoena the victim as a witness, he said.

The new policy has served several ends. For one, it sent a message to police that domestic cases could be prosecuted with or without the victim's cooperation. It also placed greater emphasis on gathering evidence at the scene, since the prosecution might be going forward without the victim. The policy shifted responsibility for prosecution from victims and helped shield them from being pressured by abusers to drop charges, Haida said.

"It really does mean something to those victims to know that there is a system in place that will stand behind them," he said.

The criminal justice system alone is not going to stop domestic violence. But a clear and coordinated response by police, prosecutors, judges and social service agencies is an important step toward protecting victims and reducing violent behavior in the home. ■

## Brochures for victims

The Authority recently published three brochures on victims' rights and services. Funded by a grant from the U.S. Department of Justice, the brochures are as follows:

1) **Illinois Bill of Rights for Victims and Witnesses of Violent Crime:** Explains the two basic rights to crime victims and witnesses: the right to obtain certain information from the criminal justice system, and the right to be treated in a humane way by the system.

2) **Information for crime victims:** Explains what to do if you are a victim of a crime or a witness to a crime.

3) **Orders of protection:** Aimed at domestic violence victims, this explains how an order of protection can help protect victims and their children from abuse.

*For copies of the brochures, contact the Authority.*



# Training key to identifying, investigating child sexual abuse in the home

By Polly Poskin

**N**ineteen years ago, when I was the director of a shelter for battered women, I received a call from a veteran juvenile police officer asking if the shelter could house a runaway female whom the officer had recently taken into custody. I told the officer that only emancipated minors or children of battered women were eligible to stay at the shelter. "OK," he said, "but you know why these kids run away, don't you?" I responded with the question, "Why do you think they run away?" "Because they're abused at home, and most of them are sexually abused," he answered.

That officer knew what very few people either understood or admitted 20 years ago: Child sexual abuse is perpetrated by fathers, stepfathers, brothers, uncles, grandfathers and rarely, but sometimes, female relatives. Some victimized children run away to escape the abuse. But many abused children cannot or do not run away. Babies, toddlers and elementary school-aged children are wholly dependent on their abusers. They could not survive on the street.

Adolescents who do not run away also remain in the home of their abuser unless law enforcement or child protective services step in.

Much has happened in the last 20 years to advance our commitment to keeping children safe from sexual abuse. Child protective services have the authority to put children in safe environments and investigate the alleged perpetrator. Twenty-four-hour hotlines exist solely for the purpose of reporting abuse; nearly all professional workers are mandated to report abuse.

## Psychological reaction

Clinical research has enabled us to identify the psychological reaction children exhibit following sexual abuse. Responses such as fear, anger, hostility, guilt and shame, low self-esteem, anxiety, early overt sexual behavior, and behavioral disturbances such as running away and truancy help us understand the

impact of victimization. This knowledge gives us valuable insights into how and when to conduct interviews and provide supportive assistance.

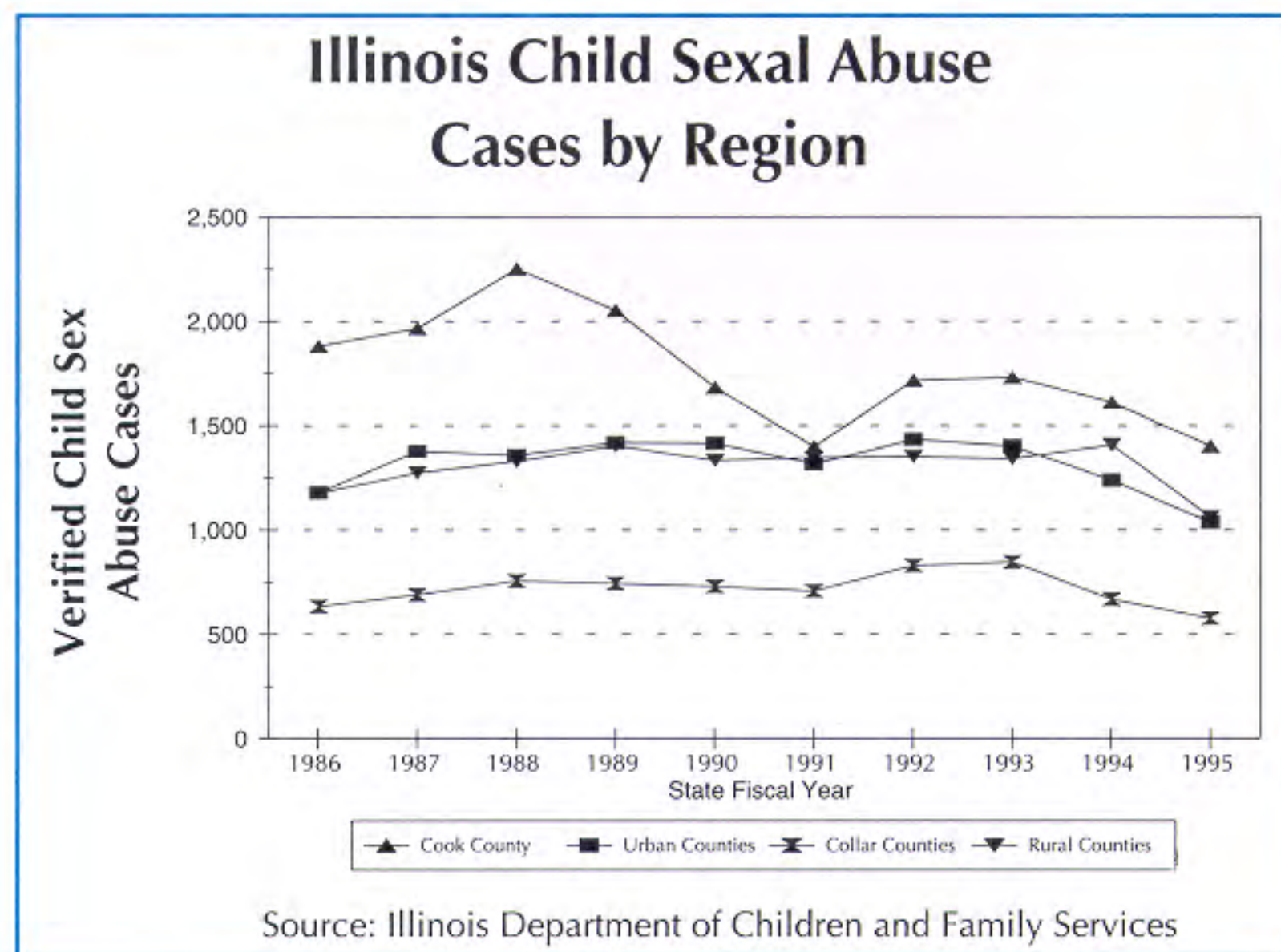
Research has taught us that child sexual abuse is more prevalent than generally believed or accepted. One in three girls and one in six boys are sexually abused before the age of 18. A 1991 survey conducted by the National Victim Center revealed that 61 percent of adult women who said they had been raped were sexually assaulted before the age of 18. This random survey of 4,008 women included only cases involving penetration. The same survey found that 29 percent of child sexual assaults involving penetration occurred before the child reached the age of 11; 32 percent occurred between the ages of 11 and 17.

In the past 20 years, law enforcement has greatly stepped up its commitment to treat child sexual abuse cases within the family as criminal. It is not the easiest crime to identify, investigate and

recommend for charging because the perpetrator leaves only faint clues. Teaching law enforcement officers the facts about child sexual abuse is an essential component of basic and ongoing training. While we know that all age groups may fabricate facts about any of their life experiences, we know that most children, particularly small children, do not have enough information to fabricate a consistent, coherent story about sexual acts.

## Difficult to admit abuse

Due to shame and guilt, a child of any age has great difficulty talking about or admitting to any kind of sexual contact. We have learned that reticence, hesitancy and some distortion of fact does not mean that sexual abuse did not occur. Because of their dependency on the abuser and the fact that they have learned that the abuse is regarded as something shameful about themselves, children do not readily admit to being sexually victimized. Secrecy is usually demanded and enforced by the abuser. We now know that



if a child or adolescent fabricates a report of sexual abuse, it is important to conduct a further inquiry with the child; invariably, the child has been abused during some period of her or his young life. Sexual abuse or sexual assault reports are not made easily or frivolously.

The law states that a child cannot "ask for it." The abuser and any family member who supports the abuser may try to convince officers that a child is promiscuous. If a child is promiscuous, the source of promiscuity lies in the home. A child who is exhibiting sexual behavior learned such behavior to secure what she or he believed to be love or positive attention. The fault does not lie with the child.

### Devastating impact

The sexual abuse of children is not primarily "stranger danger." Nor is it a "family matter." As a society, we are outraged when a child is raped by a stranger; no one matter-of-factly shrugs off the crime. Sexual abuse within the family has devastating implications for all of us. Sexually abused girls often grow into adulthood with feelings of self-doubt; the ability to set goals and realize dreams free of dependence, domination and control are severely impaired.

Female survivors of childhood sexual abuse may abuse alcohol and drugs to self-medicate the pain, scars and recurring nightmares. Male survivors direct their pain and anger outwardly and may become the adults we fear in our relationships and community. A law enforcement and criminal justice response says the perpetrator is accountable for his behavior.

As Judge Sandra Butler Smith writes: "Law enforcement demands some very human qualities. Walking unsuspectingly into a child (sexual abuse) case demands an open and alert mind." Early intervention is long-term prevention. ■

— Polly Poskin is executive director of the Illinois Coalition Against Sexual Assault.

## Marital rape cannot be ignored

In perhaps the most significant study on marital rape, researcher Diana E.H. Russell found that 14 percent of the women she surveyed who had ever been married had been raped by a husband. Marital rape, or wife rape, Russell said, has been for the most part ignored in nonlegal research about wife battering.

When Murray Straus, Richard Gelles and Suzanne Steinmeitz wrote *Behind Closed Doors: Violence in the American Family*, they did not include any data or narrative information about marital rape. In the highly regarded book by R. Emerson Dobash and Russell Dobash, *Violence Against Wives: A Case Against Patriarchy*, rape appears in a summary table titled "Other." The implication is that marital rape is not a serious problem and/or it does not happen to battered women.

But Russell's research disclosed the following: Women who experienced both wife rape and beating made up 10 percent of the study group; women who experienced wife rape accounted for 4 percent of the total; and women who suffered wife beating made up 75 percent of all women in the study. Russell's study has several important implications:

- 1) Wife rape is a reality for a significant number of married women (14 percent);
- 2) A significant number of married women experience both wife rape and wife beating;
- 3) A significant number of married women experience wife beating, but no rape; and
- 4) A smaller, but significant, number of married women experience only wife rape.

Russell points out that wife rape must be recognized as an additional abuse for some battered women and that wife rape is perpetrated against married women who are not otherwise

physically battered.

Marital rape was not a crime in most states until recently. Illinois first declared marital rape a crime in 1984, and then only if the rape was reported within 30 days and if it fit the definition of Aggravated Criminal Sexual Assault, a Class X felony. Now it is possible to also charge a spouse with a Class I, Class II or Class A sex offense. While very few marital rape cases are reported to law enforcement, it is important that an officer be prepared to respond to the allegations with an open mind and strong commitment to a thorough investigation.

In marital rape, as in all rape, the issue is consent. If a wife does not want to have sex, and the husband uses force or coercion, then he has violated her rights, her will, and her autonomy.

When a stranger rapes a woman, it is not personal; when a husband rapes a wife, he commits the most egregious betrayal of their relationship. He knows her and her feelings and the rape often puts the woman into severe shock and subsequent despondency.

Marital rape victims often have difficulty telling anyone about the abuse and pain. If she is battered by her husband and has observable physical injuries, the woman seeking help from medical personnel or law enforcement officers is usually not asked if her abuser also raped her.

As the first line of professional intervention, officers can break down the sense of shame and humiliation by asking about the occurrence of rape during a battery. This proactive approach tells the woman her experience is important to those who are trying to stop violence.

It is very important that women be able to describe their assaults as rape or attempted rape. Until this happens, our relationships, our communities and our society will be plagued by the continuum of violence that keeps us fearful and prisoners of abuse. ■

— Polly Poskin

# Elder abuse: The forgotten victims of family violence

Abuse of the elderly is a serious but largely hidden problem

By Kathleen Quinn

**I**ncreasing numbers of individuals, public policymakers and academic researchers have focused on the problem of domestic violence in recent years. These efforts first addressed victims of child abuse and, more recently, adult victims of partner abuse. One group that has not received much attention, but whose members are also frequent victims of mistreatment within the family, is the elderly.

It has been estimated that each year 4 percent to 5 percent of older people are subjected to some form of abuse or neglect. In Illinois, that would translate to about 90,000 victims. Some estimates indicate that as many as 10 percent of the elder population is abused or suffers from self-neglect. Because of underreporting and other deficiencies in the data, the true extent of elder abuse is not known, according to the Washington-based National Center on Elder Abuse. A national study is now underway and due to be completed in 1997.

## 1994 study

A 1994 study by the NCEA showed that of substantiated reports of elder abuse, 58.5 percent involved neglect, 15.7 percent were for physical abuse and 12.3 percent were for financial/material exploitation. Neglect and financial exploitation, in addition to physical, sexual and emotional abuse, can seriously impede the ability of the older person to maintain an independent life with dignity.

Older women are more likely than older men to be abused. Most elder abuse victims suffer from one or more impairments that interfere with their ability to

carry out their activities of daily living, and thus make them dependent on others for care. Family members are the most common abusers of older people. In many cases, the abuser is financially dependent on the older person, and often has problems with substance abuse, mental illness or other difficulties that interfere with their own ability to function independently.

## Elder Abuse and Neglect Program

The Illinois Department on Aging administers the Elder Abuse and Neglect Program, which accepts reports of alleged mistreatment of people 60 years

one of the 44 designated elder abuse provider agencies throughout the state.

Upon receipt of a report, a trained case worker will respond by visiting the older person within a specific number of hours, depending on the urgency of the allegations. The case worker determines, through a comprehensive assessment process, whether abuse, neglect and/or financial exploitation are in fact occurring.

If the report is substantiated, as 60 percent are, and if the older person consents to services, the case worker and client work together to resolve whatever problems are occurring. The case plan might include putting services in place, such as in-home assistance; using legal remedies such as criminal prosecution or orders of protection; or providing counseling or other aid.

## Mandatory vs. Voluntary Reports

The cornerstone of the Elder Abuse and Neglect Program is the older person's right to self-determination. The competent older person is always in charge of his or her own case. Unless the person has problems of mental incapacity (about 5 percent of people over age 60), as an adult, the person retains the right to make decisions about his or her own life. This is one of the reasons the Elder Abuse and Neglect Program relies on voluntary reporting. Reports from medical and social service professionals, family members, clergy, neighbors and others about alleged elder mistreatment are strongly encouraged but not mandated by law.

This of course differs from the law requiring almost anyone who comes into contact with children to report suspicions

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**It has been estimated that each year 4 percent to 5 percent of older people are subjected to some form of abuse or neglect. In Illinois, that would translate to about 90,000 victims.**

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or older. Roughly 5,000 reports are received each year. Anyone who suspects abuse, neglect or exploitation of an older person may report their concerns to the department's Senior HelpLine (1-800-252-8966), the After-Hours Elder Abuse Hotline (1-800-279-0400), or directly to

of abuse or neglect to the Department of Children and Family Services. Older people are not children, and should not be relegated to a childlike status by the law. Also, national studies of reporting laws demonstrate that two factors are paramount in whether reports are made to investigating agencies: good public education, so that people know what, when, where and how to report, and the reputation of the agency to which reports are being made.

Professionals and the public are likely to make a report without being coerced if they think that some good will come of it. In a pilot study conducted 10 years ago by the Illinois Department on Aging, a site where voluntary reporting was tested actually received more reports than a site where mandatory reporting was being tested. A voluntary reporting system thus generates a comparable number of reports while supporting the rights of older people.

It should be noted that anyone making a good-faith report of elder abuse, neglect or exploitation is granted immunity from civil and criminal liability by the Elder Abuse and Neglect Act, and its authorizing statute (320 ILCS 20/1 et seq.). Additionally, the reporter is guaranteed confidentiality, and anonymous reports are accepted.

### **Older Battered Women**

Older battered women face unique barriers as they attempt to create safe lives for themselves. They may have a harder time than younger women finding work, and may have spent their entire lives in service to their families, thus leaving themselves financially vulnerable. If they are not eligible for Medicare, they may lose their health insurance when they leave their marriages. This can present an insurmountable burden, since many may have chronic health problems, at least some of which may be the direct result of years of abuse. In addition, older women often feel a sense of obligation to care for their partners, who may themselves be suffering from deteriorating health.

Older battered women, as well as

other elder abuse victims, also face additional burdens in the criminal justice system. A 1995 report by Lori A. Stiegel for the American Bar Association found that “the lack of knowledge about and sensitivity to elder abuse by judges actually inhibits lawyers, prosecutors, and abused people from bringing cases into the court system.”

The report also stated that the “lack of knowledge about elder abuse among

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**“The lack of knowledge about and sensitivity to elder abuse by judges actually inhibits lawyers, prosecutors, and abused people from bringing cases into the court system.” — ABA report**

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prosecutors, lawyers, and law enforcement officers was also viewed as a barrier.” Another problem was the courts’ failure to realize that homebound people may be capable of testifying but not capable of traveling to the courthouse. The report also pointed out that delays are “particularly onerous to older abused people who are nearing the end of their life span, and who may be frail or who may be losing their capacity to remember the abuse and testify about it.” Clearly, there is a need for more awareness and understanding of the problem of elder abuse in the criminal justice system.

### **Nursing Home Residents**

The 100,000 older people who reside in the state’s 1,100 long-term care facilities are particularly vulnerable to abuse. Since the facilities are their homes, when residents are victims of abuse or neglect,

they are in fact domestic violence victims. Two-thirds of nursing home residents have some form of mental incapacity, making it difficult to impossible for them to protect themselves from abusive family members, staff, or in some cases, other residents.

All abuse and neglect allegations in licensed long-term care facilities are investigated by the Illinois Department of Public Health. Allegations that constitute criminal behavior, which may include assault, battery, sexual assault and other types of violent crimes, including in some instances suspicious deaths, should also be investigated by law enforcement and prosecuted wherever possible. These most defenseless citizens need aggressive protection and intervention when subjected to criminal mistreatment.

The Illinois Department on Aging administers an advocacy program for nursing home residents, the Long Term Care Ombudsman Program. Local ombudsmen, most of whom are volunteers, will work with residents, their families and the facilities to resolve any problems. While ombudsmen have access to facilities and residents, they do not have any enforcement powers. Anyone wishing to contact the Ombudsman Program can do so through the department’s Senior HelpLine.

### **Conclusion**

Elder abuse is a serious but still largely hidden problem. All elder abuse victims deserve the focused attention not only of the aging network but of the domestic violence, criminal justice, health and other systems as well. The needs and rights of older people, some of whom are extremely vulnerable, must be recognized and addressed by all those responsible for public safety and services. ■

— Kathleen Quinn is chief of the Bureau of Elder Rights at the Illinois Department on Aging.

# Domestic violence programs are refuge, resource for victims

## Demand outpaces resources for battered women and their children

By Jeff Travis

The 50 domestic violence programs in Illinois served 43,391 adults and children in 1994. Of the 32,734 adult clients, 98 percent were women. Between 1992 and 1994, the number of individuals served by these programs increased 23 percent, while funding increased by only 0.5 percent.

Domestic violence programs or satellite programs exist in 54 counties. Included in those programs are 34 shelters in 26 counties. The programs provided 181,244 nights of shelter for 16,352 adults and children in 1994. Because of limited resources, shelters turned away more than 17,000 victims of domestic violence in 1994.

In addition to shelter, domestic violence programs also provide court advocacy, education on child custody rights, day care and counseling services for children, classes on parenting skills and group counseling to help victims better understand domestic violence and reduce the risk of further violence.

### The varying roles of service providers

Although limited resources and growing caseloads are common problems throughout the state, many of the problems experienced in cities differ from those in rural areas. For example, even though there are many services available in urban regions such as Cook County, the large number of victims requesting services easily overwhelms the system.

Shelters in rural regions of the state may have fewer victims to serve, but the distance between shelters in rural areas can be a barrier to accessing services. These areas also typically have less assistance available for victims through law enforcement agencies, courts, hospitals and social service agencies.

The Anna Bixby Women's Center in Saline County, with a satellite office in White County, provides services across seven of the state's southernmost counties. The center's 12 staff members assist more than 3,200 women and children annually, with nearly 500 requiring residential shelter.

"Beyond money," said the center's director, Barbara Wingo, "time, education and awareness, and physical safety are three of

the biggest impediments in assisting victims of violence."

### Services in rural areas

Because the Bixby Center serves a multi-county region where many victims do not have access to transportation, a large portion of staff time is devoted to travel.

"The home outreach program, while serving numerous victims, is limited by the fact that staff can sometimes only see one appointment in a day due to the lengths of travel," Wingo said.

Time constraints also present problems in providing court advocacy. Many women requiring assistance have no idea of how to get through the judicial process. "It is not uncommon for a staffer to spend an entire day in court with a single victim," she said.

### Chicago shelters overwhelmed

The Greenhouse Shelter, operated by the Chicago Abused Women's Coalition, is the oldest domestic violence shelter in Illinois. With a staff of 30, the CAWC provides annual services to more than 2,500 victims from all areas of the state. The CAWC also instituted a hospital crisis program in Cook County Hospital. The program is

the nation's largest public hospital medical-service domestic violence awareness program.

CAWC Executive Director Olga Becker said the overwhelming number of domestic violence court cases sometimes discourages victims from using the courts.

"The sheer number of persons appearing daily in Chicago's domestic violence courts create an intimidating atmosphere for many victims. Because of the volume, the courtrooms become very loud and crowded environments that often cause victims to become withdrawn," she said.

### Non-English speakers

Another problem at shelters and courts, particularly in Chicago, is the growing number of non-English speaking victims. About a third of the CAWC's clients are non-English speaking or English is their second language. In addition to the language barrier, which means translators are often needed, there also can be a cul-

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**"The sheer number of persons appearing daily in Chicago's domestic violence courts creates an intimidating atmosphere for many victims." — Olga Becker, executive director, Chicago Abused Women's Coalition**

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tural barrier.

"Cultural and ethnic differences also affect the way victims carry themselves in court or with the police. A victim often will not make visual contact with a judge due to cultural respect for the position," Becker said.

"However, judges may interpret this as the victim not being fully cooperative. One of the next steps in educating members of the justice system is to make judges, state's attorneys and police aware and sensitive to these cultural variations," she added.

### Safety

Finding a shelter that is also safe from an abusive spouse can be difficult, particularly in small communities where the location of shelters becomes widely known. The fact that police are not always close by in rural areas also can create a hazard for workers and victims. In many cases, shelter staff may be confronted by the abuser.

"There are many times when staff will be getting women and children through back doors and windows while the assailant is coming through the front door," Wingo said.

Becker pointed out that in large urban areas it is easier for a victim to avoid an abuser. "In rural areas, everyone knows where the center is, or the motels that are used for residential shelter. In Chicago, we will receive cases where safety within downstate and rural areas is so in doubt that victims will be transported up here. We have even received out-of-state victims."

A future obstacle for domestic violence shelters and service providers could be the changing political climate regarding social services.

"Agencies must be aware of proposed changes in regards to welfare reform and the funding of social service agencies," Becker said. "With increasing numbers of victims and possible further limitations of resources, providers must be ready to adjust services so some form of assistance will still be available." ■

# Training and awareness improve police response to domestic violence

By Sal Perri

A police officer often is the first source of contact a domestic violence victim has with the criminal justice system. How the officer handles this delicate and potentially volatile situation plays a major role in ensuring the victim's safety and determining if the perpetrator is held accountable for his or her actions.

Victims' advocates and others have complained that police officers lack sensitivity in domestic violence situations and fail to take the victims seriously. One factor that may have led to that criticism is police frustration with victims who decide not to prosecute. Another part of it may be the belief on the part of some officers that what takes place in the home is a family matter, and not police business.

But advances in training, as well as new domestic violence laws, are changing this picture in Illinois. Today, police officers are being trained to better understand the laws and the dynamics of domestic violence, as well as what community resources are available to assist victims.

### Training academies

All police recruits in Illinois receive at least four hours of training on domestic violence at the police training academies. Additionally, many departments have in-service training, and frequently they are

assisted in that training by workers from local domestic violence programs.

The Chicago Police Department, which gives recruits at its academy seven hours of domestic violence education, has made the issue a training priority. Training at the academy includes classes on the law and domestic violence, the

size and scope of the problem, and why the victim may decide not to prosecute or leave the home.

The department follows the philosophy that "the police officer is a crime fighter and that domestic violence is a crime," said Lt. Neil Sullivan, who developed the department's roll call training modules on domestic violence.

"We're dealing with a social problem; however, when the problem becomes a crime, then we have

to intercede," Sullivan added.

Much of the training for recruits involves role playing. The goal is to develop skills needed to quell the immediate dispute. The focus then turns to actions that will be taken to assist the victim. Training for veteran officers focuses on understanding department policy and the law.

### Roll-call training

The roll-call training on domestic vio-

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**"We're dealing with a social problem; however, when the problem becomes a crime, then we have to intercede" — Lt. Neil Sullivan, Chicago Police Department.**

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lence was developed a year and a half ago and is centered around seven training "bulletins" introduced over a seven-week period. The bulletins cover one topic a week in a roll-call setting. The sergeants who teach the material have had four hours of training, including instruction by staff from the state's attorney's office and domestic violence centers.

The bulletins cover such topics as the police officer as the first responder; enforcing the law; gathering evidence; documenting the course of events leading to the domestic dispute; prosecution of the case; and the role of domestic violence advocates in providing intervention, referral and victim assistance. The department uses a similar training method for cases of child abuse and neglect.

The Chicago Police Department also puts out a written bulletin called the *CPD Notebook* to inform officers of changes in laws or policies. These bulletins have been used to address the issue of domestic violence involving police officers and how officers experiencing domestic problems can seek help.

### Getting results

The CPD's training, coupled with greater awareness of domestic violence issues, appears to be paying off in several different ways. Domestic-related homicides in Chicago dropped 23 percent in 1995 compared to 1994. During the same period, complaints against police officers for improper service dropped 25 percent, and the Cook County State's Attorney's Office saw a 30 percent increase in domestic violence charges. According to victims' advocates, the changes in enforcement have helped change the attitudes of victims and their willingness to seek out help.

Other law enforcement agencies in the state also are working to improve the criminal justice response to domestic violence.

The four-hour block of domestic violence training at the Illinois State Police Academy covers the Illinois Domestic Violence Act of 1986 and other related state laws. Training also focuses on the dynamics and cycle of domestic violence,

crisis intervention, mediation, cultural diversity, officer safety and responsibility, evidence collection, documenting a domestic situation and services available to assist the victim. Role-playing exercises are used to help officers deal with domestic violence situations.

The Illinois Law Enforcement Training and Standards Board's mobile training units also provide supplemental domestic violence training to agencies throughout the state.

### Domestic violence programs

Many departments are working with local domestic violence programs to develop training and coordinate their responses to crisis situations. Roll-call training is common but is often supplemented by additional training.

The Quincy Police Department relies heavily on a local domestic violence center for its training, as well as monthly bulletins that update officers on issues and services available to victims.

The Jo Daviess County Sheriff's Office also works with victims' advocates to develop training, and the cooperation carries over to practical assistance on domestic violence calls. For example, if an officer doesn't have enough evidence to make an arrest and the victim doesn't want to press charges, the officer can still try and put the victim in touch with the local domestic violence program, said Sheriff Steven Allendorf.

The Elmhurst Police Department makes it a priority in domestic violence situations to inform all victims of their rights and services available to assist them.

Elmhurst police officers are trained to ensure that domestic violence victims get immediate assistance from the local domestic violence center. The officer will call the center and also provide the victim with transportation to the center if needed, Chief John Millner said.

If an Elmhurst police officer is personally involved in a domestic violence situation, he or she is placed on immediate suspension and receives mandatory counseling. Counselors report back on the officer's level of cooperation during

the sessions.

Millner said he hopes "all law enforcement agencies are progressive on the domestic violence issue to ensure that everyone is on the same page and all have a united approach, so we all will be ahead of the game." ■

— *Sal Perri is an information specialist in the Authority's Research and Analysis Unit.*

### Training videos available

The Illinois Law Enforcement Media Resource Center, operated by the Illinois Law Enforcement Training and Standards Board in association with Western Illinois University, lends a wide variety of criminal justice media programs on a cost-free basis to law enforcement agencies and educators. The following videos on domestic violence are among those available.

#### **Domestic Assault: The Law Enforcement Response**

LE98999V, 37 min., 1990, VHS

Designed to prepare experienced officers to handle common problems in domestic assault calls, with the goal of reducing the vulnerability of victims to repeat assaults, and that of police to lawsuits.

#### **Domestic Assault: The Police Response**

LE85885V, 23 min., 1987, VHS

Re-enacts an example of domestic assault to demonstrate proper investigation techniques recommended to police officers.

#### **Domestic Violence: More Than a Private Affair**

LE86225V, 22 min., 1989, VHS

Reviews law enforcement's changed approach to domestic violence, emphasizing the need to demonstrate to those involved, especially to children, that violence is criminal behavior and will not be tolerated.

*For more information or to order programs, call the center at 1-800/843-2690 or 309/298-2609.*

# Orders of protection are a vital safety net for victims

By Vickie Smith

**W**ith the enactment of the Illinois Domestic Violence Act in 1982, victims of domestic violence finally had some tools to help them escape their abusers. Physical, sexual and emotional abuse directed at a family or household member were now clearly illegal in Illinois. No matter the relationship, a person had the right to live free from fear in his or her own home. This was a giant step forward.

The IDVA has been revised twice to better protect all victims of domestic violence. One of the most important tools created by the IDVA was the order of protection. The OP is a civil order signed by a judge ordering a respondent to stop certain behaviors or to carry out certain behaviors.

## Remedies

The order of protection offers several remedies. The first restricts the abuser from committing any further abuse against the named victims. This, of course, is the whole point of the OP. The judicial system is saying to someone who is being abusive that the behavior is criminal, and if committed

again the respondent is subject to immediate arrest. The second remedy is referred to as exclusive possession and restricts the abuser's access to a shared home. The third remedy restricts access to specific places such as school or work. The rest of the remedies deal with issues surrounding children, money and counseling.

The order of protection was created as a very important tool to try to protect vic-

Orders of protection must be kept in perspective to remain a viable and useful tool.

The remedies provided by the order are often crucial to the safety of victims and dependents. Child support, supervised visitation and custody issues are often vital to establishing safety margins.

## Orders are temporary

It is important to remember that an order of protection is temporary. It lasts only two

However, the order of protection is meant to be a measure that allows time for the victim to establish permanent safety plans.

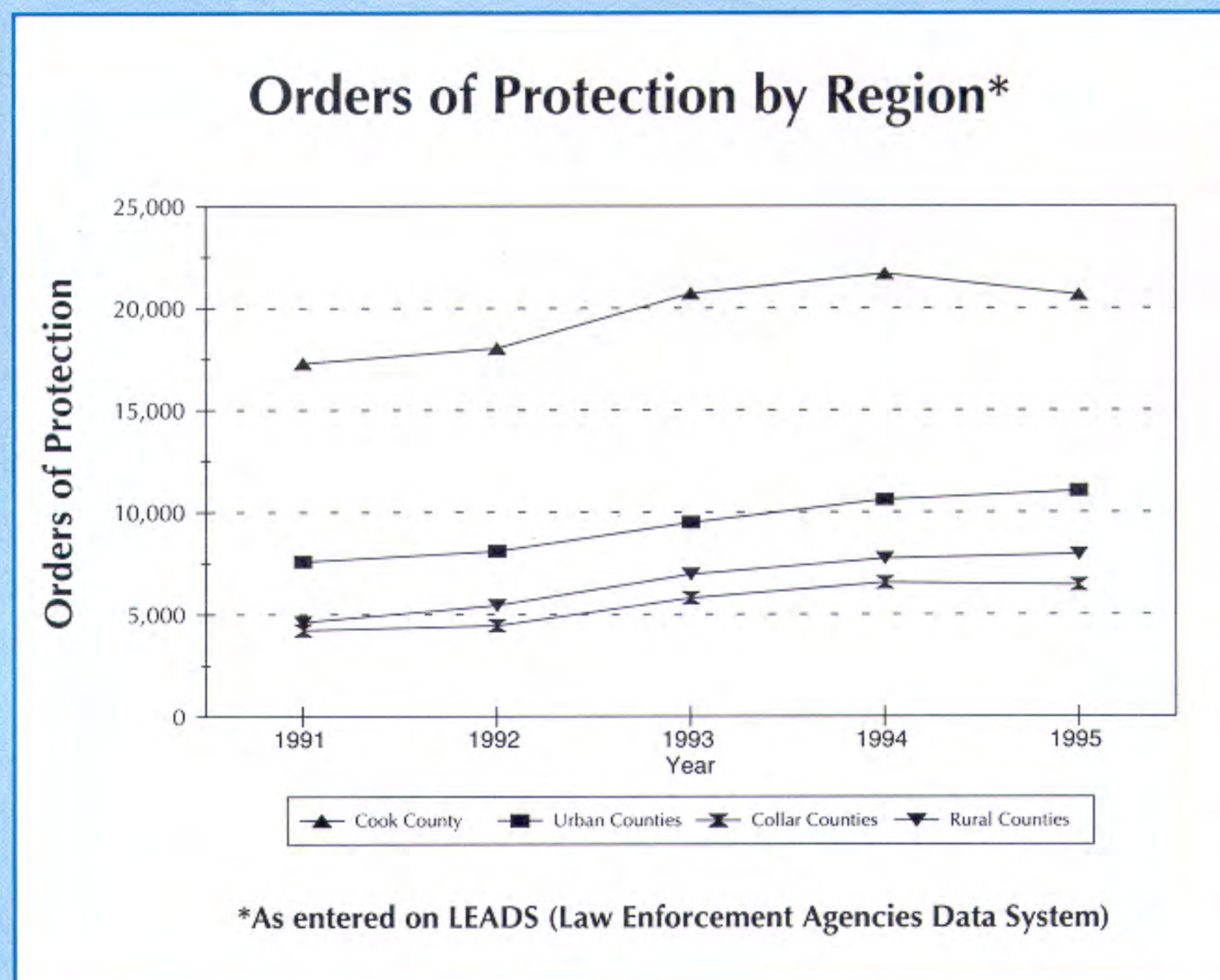
Another issue vital to the usefulness of orders of protection is enforcement. If an OP is violated, the civil or criminal court must hold the respondent accountable. If any of the first three remedies are violated, there should be an arrest. If other remedies are violated, civil contempt of

court charges can be filed. The exceptions are the remedies referring to hiding or failure to return a child. Violations of these provisions leaves an offender subject to arrest. When arrest occurs, prosecution must follow.

## Safety net

It has been said that an order of protection is only a piece of paper and doesn't do any good. But when the justice system responds appropriately and the victim understands his or her rights and responsibilities, the order will do what it is meant to — create a temporary safety net to allow for permanent safety planning. ■

— Vickie Smith is the executive director of the Illinois Coalition Against Domestic Violence.



tims and make abusers accountable. Today it is relatively simple to get an OP. However, OPs never were meant to be the method that stopped domestic violence.

years unless extended in another court hearing. Child support and custody need to be addressed in a more permanent way in other hearings.



# Coordinating councils bring unified response to domestic violence

## Local response is crucial to providing services for victims

By Janice DiGirolamo and Suja George

In 1992, a team of judges and family violence experts appointed by the chief justice of the Illinois Supreme Court returned from a national conference on family violence and the courts with the strong recommendation that a statewide family violence council be formed.

### State level coordinating council

Members of the Illinois Supreme Court approved a plan in September 1993 for the Administrative Office of the Illinois Courts and the Illinois Council for the Prevention of Violence to collaborate on implementing the Illinois Family Violence Coordinating Council. Chief Justice Benjamin Miller convened a steering committee of state officials to plan the Council and, in September 1994, a two-day retreat was held to launch it. More than 100 members attended.

The Illinois Family Violence Coordinating Council uses a multidisciplinary, multi-system approach, including criminal justice, health, the courts and social services. It conducts its work at the policy level with various state departments and private sector organizations to promote coordination at all levels using a community approach to family violence. Effective family violence prevention, education and intervention strategies are critical to its mission. The Council recognizes that the prevention of family violence is central to the reduction of other forms of violence in communities and that the development and expansion of services are essential in addressing family violence.

### Local-level response

One of the major strategies of the Illinois Family Violence Coordinating Council is the development of local family violence coordinating councils. These circuitwide councils emphasize prevention through strengthened services, comprehensive systems coordination and protocol development, public education, professional training and information exchange. The councils serve as a catalyst for full implementation of the various laws. They also provide the groundwork for consistency in interventions that provide safety for the victims, hold the offenders accountable and

include services for the victims and the offenders.

Local councils are convened through judicial leadership in an effort to bring into the arena all aspects of the criminal justice system: law enforcement, prosecution, defense, victim advocates and the court. Councils currently exist in the 6th, 8th, 9th, 10th, 11th, 13th, 17th and 20th judicial circuits in Illinois (see map on next page). Additional councils will be developed this year in the 6th District Court (Markham) of Cook County and the 3rd Circuit. State support is critical to the maintenance of existing councils and the development of additional councils.

Local councils are launched with two consecutive, one-day family violence symposiums. Typically, about 500 professionals attend. National and state experts address topics such as the dynamics of domestic violence; effects of violence on children; elder abuse; prosecutorial response; and effective law enforcement response. Break-out sessions in the afternoon allow professionals in specific systems (such as health care, law enforcement, prosecutors,

clergy, schools, judiciary and social services) to discuss issues pertinent to their profession, interact with other experts who have formed local councils in the state, and gain an understanding of their role in forming local councils.

### Local steering committees

Mirroring the statewide family violence council, local councils have both steering committees and full councils. The steering committee members are appointed by the chief judge with recommendations from the planning committee. The members are policy-level community and systems representatives, such as judges, victim advocates, chiefs of police, sheriffs, heads of social service agencies, circuit clerks, probation directors, attorneys, educators and elected community leaders.

Membership on the steering committee ranges from eight to 50 people. Membership on the full council is inclusive and ranges from 30 to more than 100 people. Committees are formed within

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**Local councils are convened through judicial leadership in an effort to bring into the arena all aspects of the criminal justice system: law enforcement, prosecution, defense, victim advocates and the court.**

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the full council to address specific needs of the circuit. Committees that have typically been formed include schools, law enforcement, social services, training and health care. These committees often address issues of protocol development, training and public education.

### Accomplishments

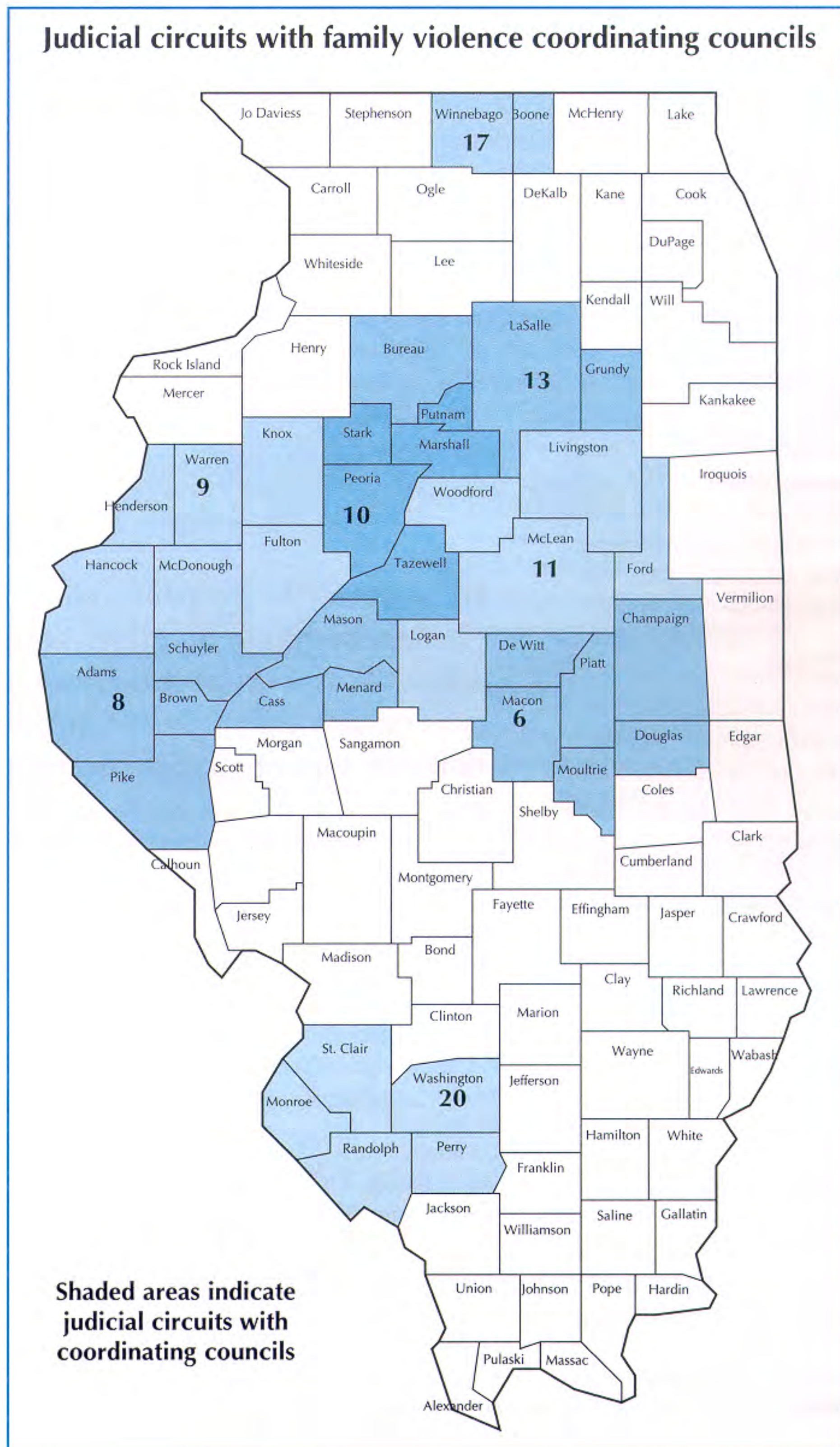
Some accomplishments of local councils include:

- Establishment of written protocols, policies for arrests and prosecution of domestic violence in six counties and law enforcement protocols negotiated in several of the counties;
- Standardization of order of protection forms in three circuits;
- Presentations on the effects of family violence to teachers' institutes in three circuits;
- Local church conferences in three circuits;
- Training on substance abuse and family violence for social service providers in one circuit;
- Development in one circuit of a protocol for judges, attorneys and advocates involved in domestic violence order of protection proceedings;
- A panel discussion in one circuit with representatives from local media to discuss how domestic violence cases were reported;
- A survey in one circuit of 15 local health clinics on screening for family violence;
- Establishment of a domestic violence assistance program in a county's courthouse;
- A survey in one county of emergency rooms for protocols;
- Recruitment, training and funding for four on-call, part-time victim advocates in a rural county;
- Law enforcement training on protocols in numerous counties;
- Establishment of a child visitation center in a rural county;
- Sponsorship by two circuits of a poster contest in schools, "Peace on Earth Begins at Home";
- Distribution of "Spiderman"

comic books dealing with issues of abuse to grade school children with funds provided by state's attorneys in one circuit; and

- Development and distribution of a comprehensive directory of services and resources in two circuits. ■

—Janice DiGirolamo is the victim services coordinator for the Administrative Office of the Illinois Courts; Suja George is local council coordinator. For more information on coordinating councils, they can be reached at 217/785-2125.



## In Brief, from page 3

havior because they are high, their anger and hyperactivity is stimulated, their judgment and inhibitions are dulled, or they simply end up not really caring what they do. I know because as director of corrections for Illinois and administrator of the U.S. Drug Enforcement Administration, I have seen the results firsthand. In the United States someone dies every 23 minutes due to an alcohol-related incident. Is that a reason to increase the overdose deaths, domestic violence, and accident-related drug incidents that would result from much wider use of heroin, cocaine and marijuana?

"We need drug abuse prevention, education, intervention, treatment and law enforcement resources to curb this menace. From 1978 to 1991, illegal drug use in this country decreased significantly, by over 40 percent in fact, particularly among teen-agers and marijuana users. This is not because we legalized marijuana (in fact, the penalties increased), but, rather, because parents, teachers and students saw the destructive effects of this drug. Let's hope we do not have to return to the drug usage of the 1970s to recognize that the answer lies within ourselves, our families, our schools, our churches and our communities to address this problem, with scientific facts on the health hazards of these drugs, treatment for those in need, and prison penalties and fines for the dealers."

### Handbook available on crime prevention strategies

The Bureau of Justice Assistance, in cooperation with the National Crime Prevention Council, recently published a comprehensive report of 350 successful strategies designed by law enforcement agencies, government officials, business leaders and community groups to prevent crime. The various plans and programs are described in *350 Tested Strategies to Prevent Crime: A Resource for Municipal Agencies and Community Groups*. All of the programs presented have been tested and used to address the growing variety and complexity of criminal activity.

The BJA provides leadership and

guidance on crime and violence prevention and control. *350 Strategies* was written by the NCPC through a grant from the BJA. It is available for purchase through the NCPC at 1700 K. Street, N.W., Second Floor, Washington, D.C. 20006-3817, or by calling 202/466-6272.

### National study indicates crime costs society nearly \$500 billion annually

According to a recent two-year study by the National Institute of Justice, criminal victimization costs an estimated \$450 billion annually, with \$105 billion in tangible costs. This represents a 400 percent increase in annual costs from a previous *U.S. News* report in 1976, when costs were estimated at \$90 billion. Costs as a result of violent and personal victimization, including drunk driving, accounted for 95 percent of all costs. Property crimes accounted for the remaining 5 percent of costs. (White collar crimes were excluded.) Among the factors considered in calculating losses were tangible losses, such as medical costs, lost

earnings and public program assistance. Intangible losses included pain and suffering and reduction in quality of life.

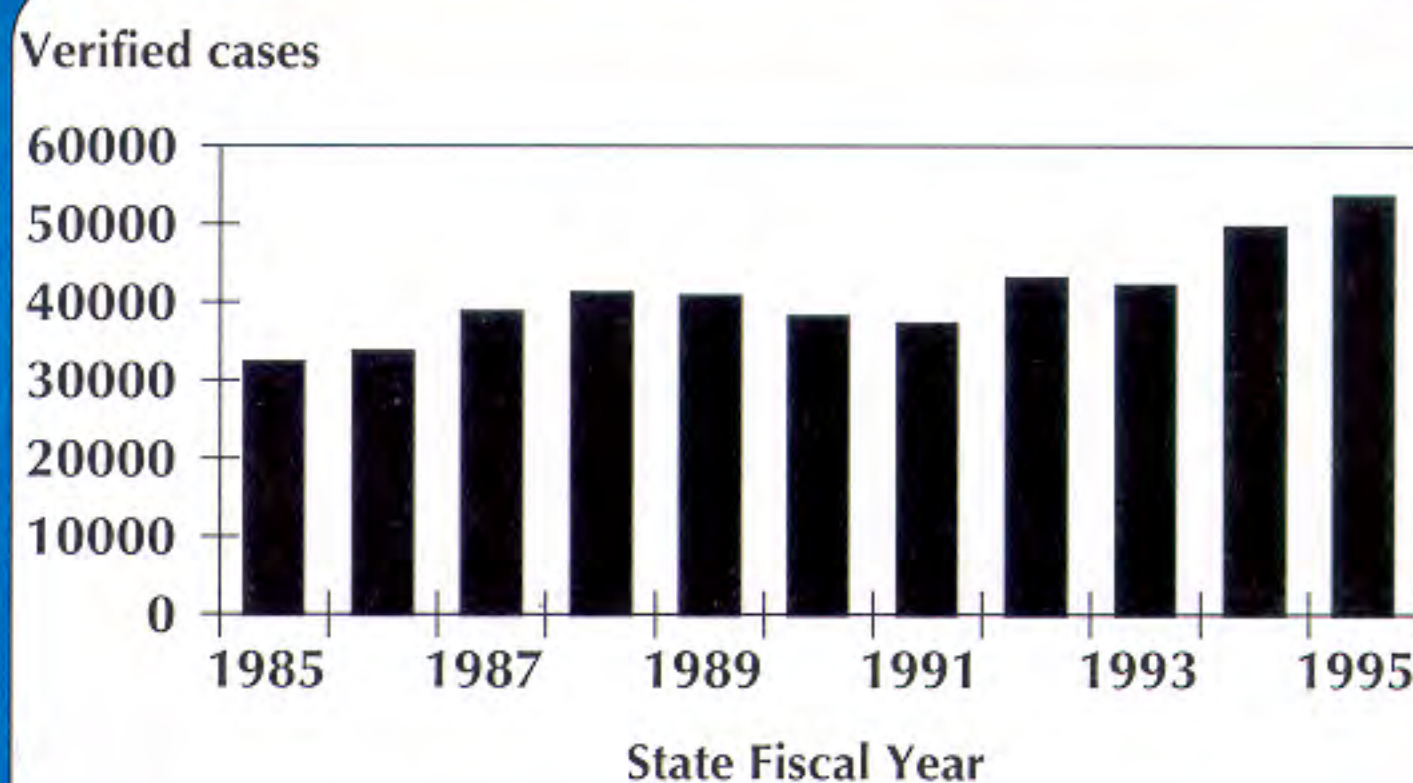
Findings within the report included the following: Violent crime accounted for 3 percent of national medical spending and 14 percent of injury-related medical spending; lost wage earnings were equivalent to 1 percent of all annual earnings; between 10 percent and 20 percent of all mental health care expenditures are attributable to crime, primarily for victim counseling; and rape has the highest victimization cost, at \$127 billion per year.

The report, *Victim Costs and Consequences: A New Look*, and the research preview, *The Extent and Costs of Crime Victimization*, are available from the National Criminal Justice Reference Service, P.O. Box 6000, Rockville, MD 20849-6000, 800/851-3420. ■

*Items to be considered for the "In Brief" section can be sent to the attention of Jeff Travis at the Illinois Criminal Justice Information Authority.*

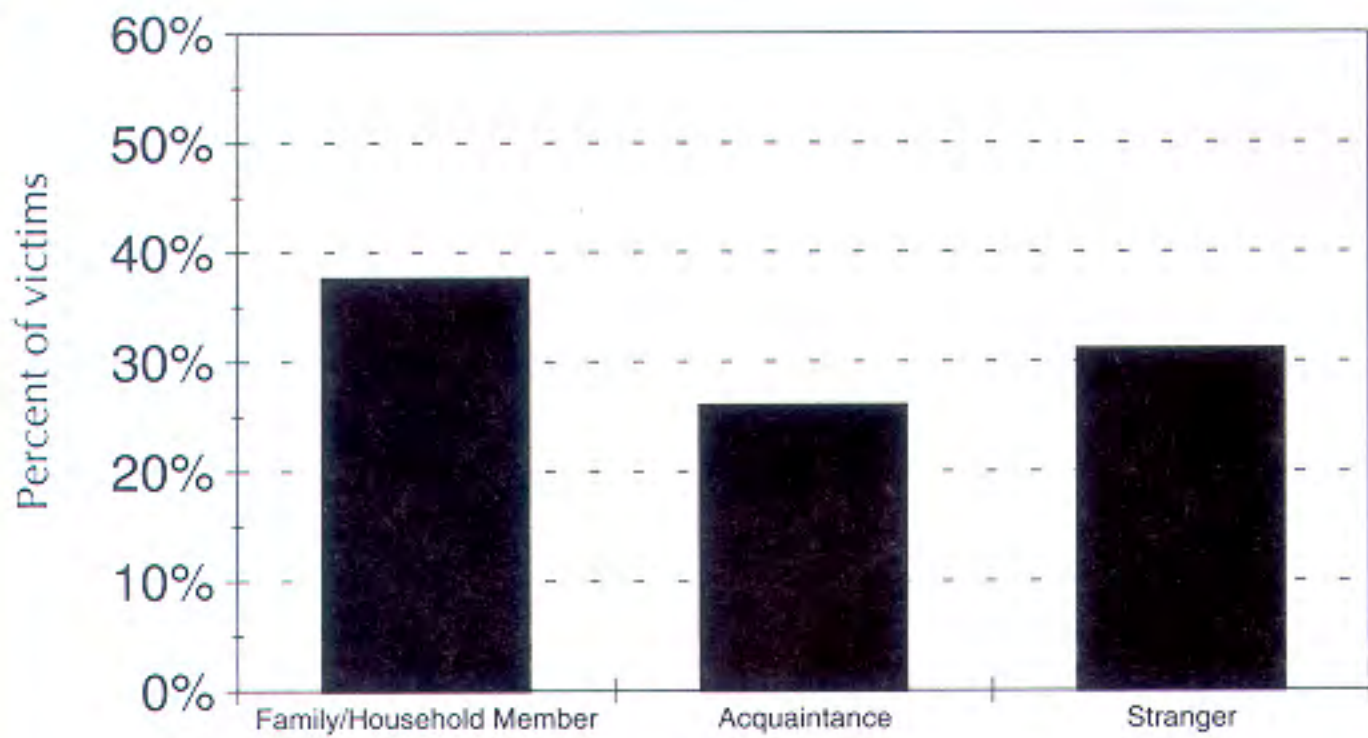
**Correction:** An incorrect bar chart was inadvertently used for one item on the "Trends" page in the last issue of *The Compiler*. The correct version appears below.

#### Verified cases of child abuse and neglect in Illinois



Source: Illinois Department of Children & Family Services

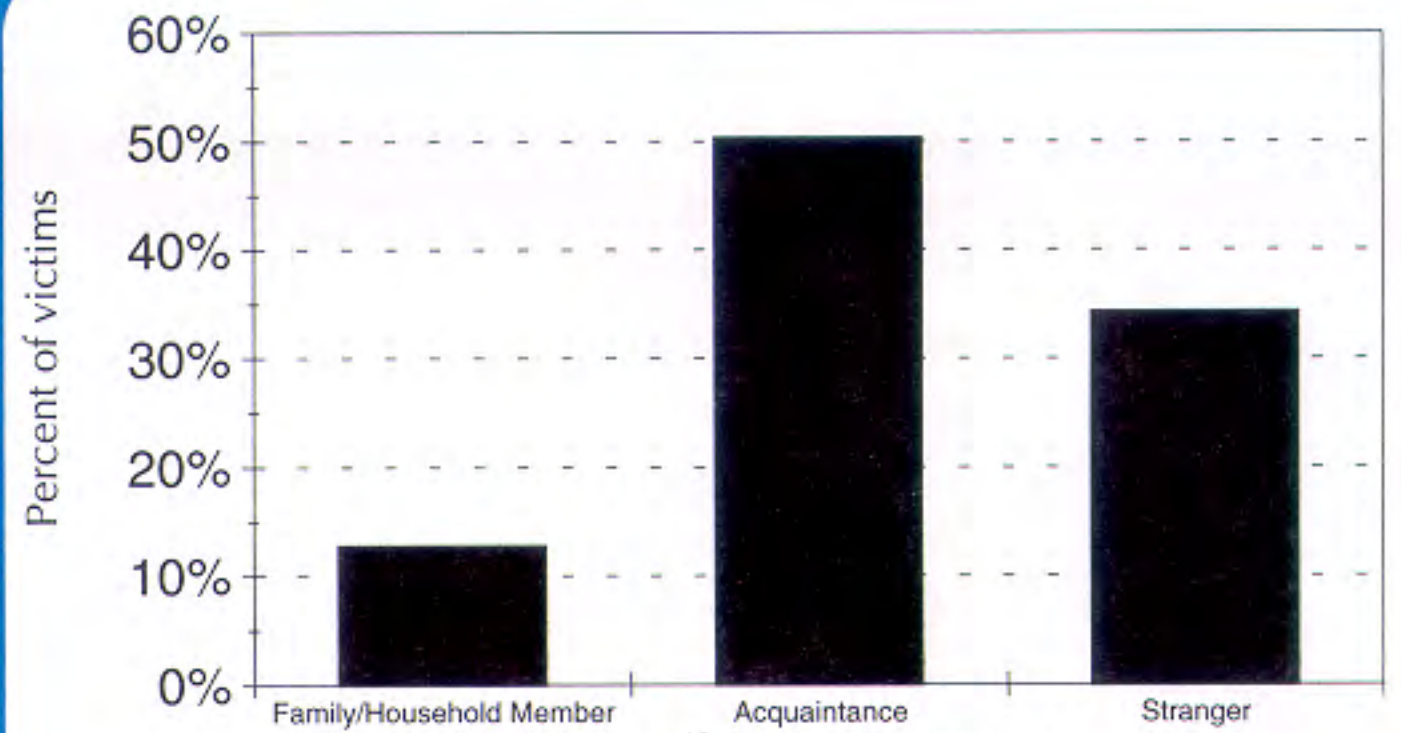
Victim-offender relationship for adult violent offenders placed on probation



Victim-offender relationship

Source: Administrative Office of the Illinois Courts

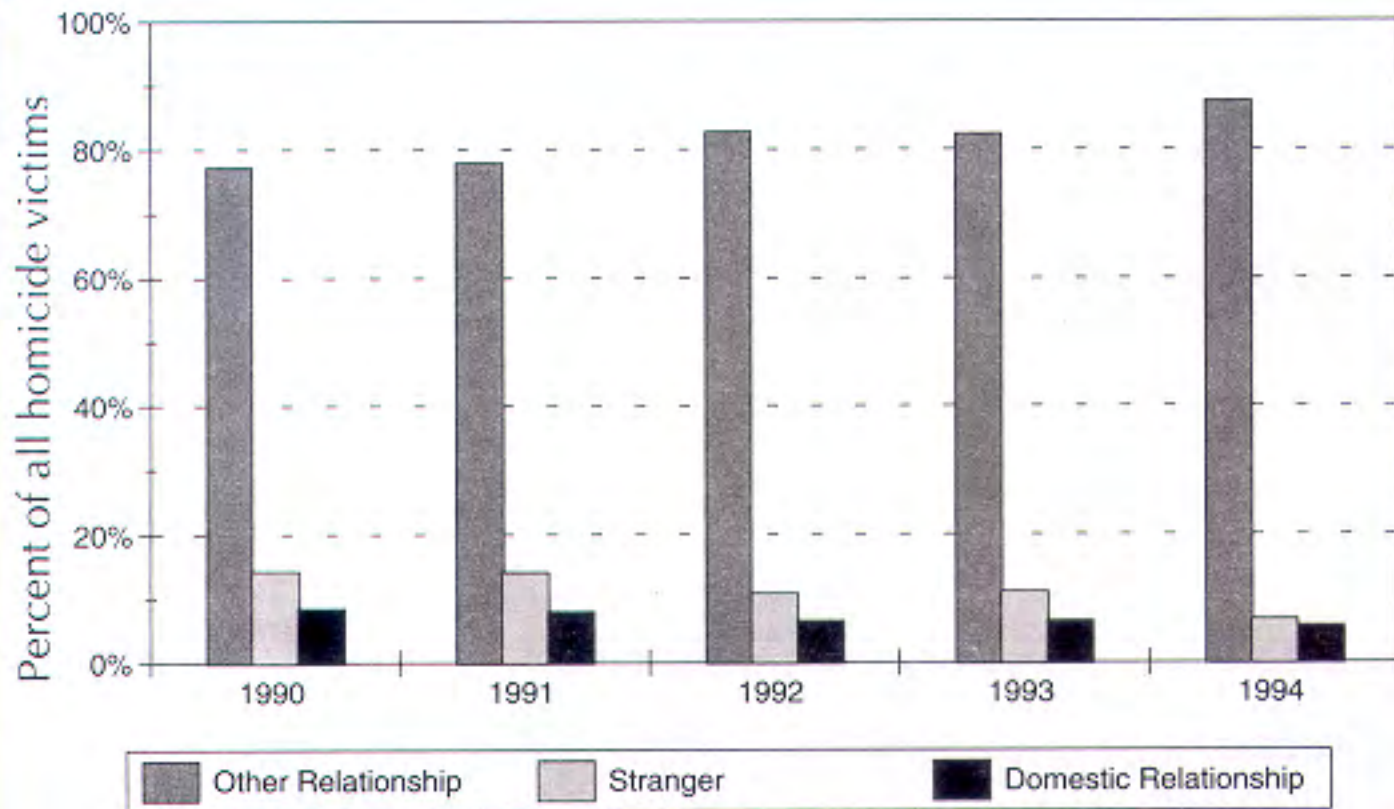
Victim-offender relationship for juvenile violent offenders on probation



Victim-offender relationship

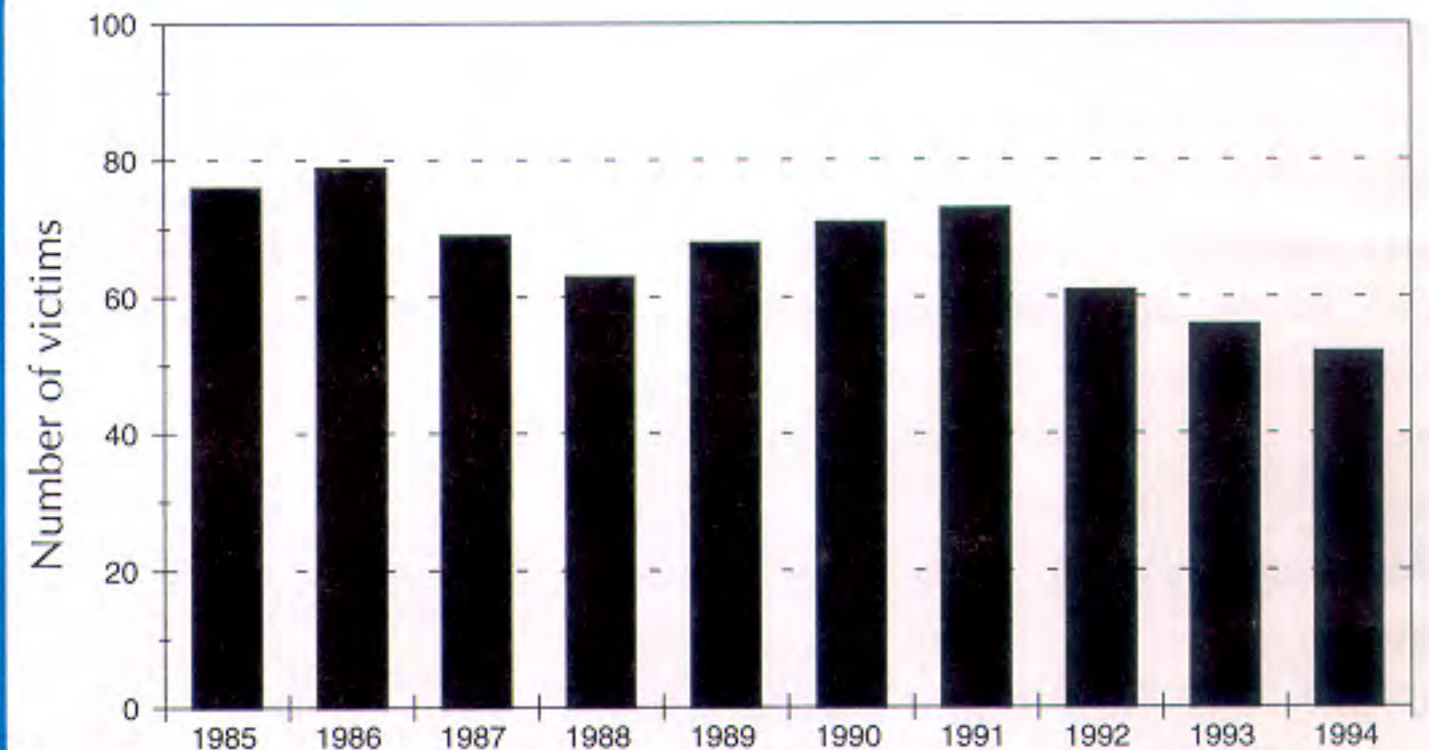
Source: Administrative Office of the Illinois Courts

Chicago homicides by victim-offender relationship



Source: Chicago Homicide Dataset

Domestic homicide victims in Chicago



Source: Chicago Homicide Dataset



**ILLINOIS  
CRIMINAL JUSTICE  
INFORMATION AUTHORITY**

120 South Riverside Plaza  
Suite 1016  
Chicago, Illinois 60606-3997  
Voice: 312-793-8550  
Fax: 312-793-8422  
TDD: 312-793-4170

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PUBLISHER  
PRINCIPAL, SUPPLER  
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