

Popovits & Robinson

ATTORNEYS AT LAW

CLIENT ADVISORY

August 2008

*Frankfort: 20635 Abbey Woods Court, Frankfort, IL 60423 (708) 479-3230
Bloomington: 1003 Martin Luther King Drive, Bloomington, IL 61701 (309) 827-6026*

Illinois Domestic Violence Protection

The Governor of Illinois recently signed into law the “Cindy Bischof Law”, which strengthens protection for domestic violence victims.

This law states that if a domestic abuser is arrested for violating a restraining order and appeals for bail, the abuser will have to undergo a risk assessment evaluation and give the court the authority to require a GPS device if bail is granted for the abuser. In addition, this law requires that the abuser be evaluated by a partner abuse intervention program, and also requires that the abuser follow the recommendations of such program. The law also considers it a new offense if the restraining order is violated and the abuser fails to attend and complete the partner abuse intervention program.

This law also establishes the “Domestic Violence Surveillance Program.” This program allows the supervising authority i.e. Prisoner Review Board, Department of Corrections, or court, to use the best available GPS tracking system to track domestic violence offenders. Some features of the tracking system include: immediate notification to law enforcement or other monitors of any breach of the court order; notification to the victim in near-real time of any breach; allows monitors to speak to the offender through a cell phone implanted in a bracelet device; and activation of a loud alarm to warn a potential victim of the offender’s presence in a forbidden zone.

The law also imposes a fine of at least \$200 for every penalty in violation of a restraining order conviction.

This law is effective January 1, 2009.

For more information please contact Popovits & Robinson at 708/479-3230.

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