



Resilience is an independent, not-for-profit organization dedicated to the healing and empowerment of sexual assault survivors through non-judgmental crisis intervention, individual and group counseling, and medical and legal advocacy in the greater Chicago metropolitan area. RESILIENCE provides public education and institutional advocacy in order to improve the treatment of sexual assault survivors and to effect positive change in policies and public attitudes toward sexual assault.

Orders of Protection under the Illinois Domestic Violence Act

Who is eligible for these protections?

Family or household members who:

- are related by blood, or by current or former marriage to the offender;
- share or shared a common home with the offender;
- have or allegedly have a child in common with the offender;
- share or allegedly share a blood relationship to the offender through a child;
- have or had a dating relationship or engagement with the offender; or
- are high risk adults with disabilities abused by a family member or caregiver.

Remedies & Protections

The judge can grant up to 18 remedies, from prohibiting further abuse to ordering the offender to stay away, revoking a FOID card, protecting property and pets, requiring financial support, providing temporary care of children, and ordering exclusive possession of the home.

Violations

The first violation of a Domestic Violence Order of Protection is a Class A

Sexual Assault Civil No Contact Order

Who is eligible for these protections?

Any person who is a victim of nonconsensual sexual conduct or sexual penetration. These orders also can protect the following people:

- Family or household members of a victim; and
- Rape crisis center employees and volunteers.

Remedies & Protections

The judge can grant any or all of the following remedies:

- Prohibit contact with the victim;
- Order the offender to stay away from victim generally and/or to stay away from specific locations;
- Protection of property and pets;
- Order the offender to transfer to another school if the victim and offender attend the same school;
- Other injunctive relief necessary to protect the victim.

Violations

The first violation of a Sexual Assault Civil No Contact Order is a Class A misdemeanor. A subsequent violation is a Class 4 felony.

There are many laws and programs to help protect and assist victims of sexual violence. For more information on any of these laws or programs, contact the Chicago Rape Crisis Hotline at 1(888) 293-2080 or consult Resilience.

Resilience Central Office

180 N Michigan Ave. Suite 600

Chicago, IL 60601

phone: (312) 443-9603

fax: (312) 443-9602

info@ourresilience.org

Legal & Medical Advocacy, Trauma Therapy, Education & Training, Volunteer Services

Stroger Hospital Office

1901 W Harrison St. Room 1699

Chicago, IL 60612

Legal & Medical Advocacy

Austin Satellite Office

4909 W Division St. Suite 511
Chicago, IL 60651

Legal & Medical Advocacy, Trauma Therapy

Northside Satellite Office

1945 W Wilson Ave. Suite 6114

Chicago, IL 60640

Legal & Medical Advocacy, Trauma Therapy, Education & Training

YWCA RISE Children's Center

800 W Jackson St. Suite. 550
Chicago, IL 60607

Legal & Medical Advocacy (for Children & Youth)

Resilience also has referral options for free legal representation. Call for more information.

Stalking No Contact Order

Who is eligible for these protections?

Any person who is the victim of a course of conduct that causes the victim to fear for his or her safety or the safety of another person, or to suffer emotional distress, and relief is not available to the victim through the Illinois Domestic Violence Act or through a Sexual Assault Civil No Contact Order.

Remedies & Protections

The judge can grant any or all of the following remedies:

- Prohibit further stalking or threats of stalking;
- Prohibit contact with the victim;
- Order stalker to stay away from specific locations;
- Prohibit stalker from having FOID card and owning firearms;
- Other injunctive relief necessary to protect the victim. Attorneys' fees are the only financial remedy available.

Violations

The first violation of a Stalking No Contact Order is a Class A misdemeanor. A subsequent violation is a Class 4 felony.

Assistance for Undocumented Victims of Domestic and Sexual Violence

The Violence Against Women Act provides protection for victims of domestic and sexual violence. If you are married to your domestic violence abuser and he or she is a citizen or legal resident, you may be able to take the abuser's place in petitioning for or continuing a petition for legal residency.

If you are a victim of domestic or sexual violence, you may also be eligible for a U-Visa, which would allow you to remain the United States for 4 years. After 3 years, you may apply for legal residency. To be eligible for a U-Visa, you must report the offense and cooperate with the investigation and prosecution of the criminal case to the extent you are asked to do so.

Safe Homes Act

Your landlord must change your locks if you or any member of your household is a victim of domestic or sexual violence and:

- There is a credible imminent threat of future harm on the premises;
- You give a written request to the landlord with evidence of abuse (medical/court/police evidence or statement from a victim services agency.)

If you share an oral or written lease with your abuser, you must also obtain a court order, such as an Order of Protection or Civil No Contact Order, granting you the exclusive possession of the residence. Your landlord must change the locks or give you permission to do so within 48 hours.

If the incident occurred within the last 60 days, you may also end your lease early if there is an imminent threat of future harm on the premises and you give your landlord written notice 3 days before or after you leave your apartment or house. If you or your family member is a victim of sexual violence that occurred on the premises, you can terminate your lease early without showing an imminent threat of future harm.

Victim Economic Safety and Security Act (VESSA)

Victims of domestic or sexual violence, or their family members, who work for companies with more than 1 employee may take unpaid leave from work to:

- Seek medical attention or recover from physical or psychological injuries caused by domestic or sexual violence;
- Obtain services from a victim services program;
- Obtain counseling services;
- Participate in safety planning, relocate (temporarily or permanently) or take other steps to ensure their safety; and/or
- Seek legal assistance or go to court.

Employers with 1–14 employees must allow up to 4 weeks of unpaid leave.

Employers with 15 or more employees must allow up to 8 weeks of unpaid leave.

Employers with 50 or more employees must allow up to 12 weeks of unpaid leave. Leave can be taken as needed using a reduced work schedule.

An employer may require certification that the employee is a victim of domestic or sexual violence, or that their family member is such a victim. Documentation can include a letter from a victim service organization, attorney, member of the clergy, medical or other professional who has provided services to the employee or family member; or a police or court record.

Employers must also make reasonable accommodations in a timely manner, unless doing so would result in an undue hardship. Reasonable accommodations may include a transfer or reassignment, a modified work schedule, a change in telephone number or seating assignment, installation of a lock, or implementation of a safety procedure.

If you don't qualify under VESSA, you may still take time from work to appear in a criminal case. By law, no employer can terminate an employee or otherwise punish or penalize an employee who is a witness to crime because of time lost due to attending court when the employee has been subpoenaed by the State's Attorney's Office. If you haven't already received a subpoena and your presence is required in court, the State's Attorney's Office will provide one for you.

Victim Compensation

You may be eligible for reimbursement of medical or counseling expenses under the Illinois Crime Victim Compensation Act. To be eligible, you must report a domestic violence incident within 72 hours of the crime, or for sexual assault within 7 days, or show that the report was timely under the circumstances. You must also cooperate fully with the investigation and prosecution of the abuser. For domestic violence incidents, obtaining an Order of Protection may be considered to be cooperation. For sexual assault victims, obtaining a Civil No Contact Order or going to a hospital for sexual assault evidence collection and medical care may be considered to be cooperation.

Automated Victim Notification (877)-846-3445

You may register with the Automated Victim Notification (AVN) system to receive notification if a defendant is released from custody or if there is a change in court dates. AVN may also be used to verify if a defendant is in custody at the Cook County Jail. This service is available in English, Spanish and Polish.

Illinois Gender Violence Act

The Illinois Gender Violence Act is a civil rights law that allows survivors of sex-based violence (like domestic violence) and sexual assault to sue their attackers in civil court.

The GVA went into effect on January 1, 2004, and can be used by any person who has been victimized by sex-based violence since then. The GVA was designed to make it easier for survivors of sexual and other forms of intimate violence to sue their perpetrators in civil court, and can be used by any survivor, whether or not they ever filed a police report, and regardless of whether their perpetrator was ever criminally charged or prosecuted. The statute of limitations under GVA is seven years.

Civilian Office of Police Accountability – COPA

The Civilian Office of Police Accountability (COPA) is an investigative body that responsible for investigating certain crimes perpetrated by officers in Chicago on or off duty. Survivors who may have experienced sexual violence/domestic violence at the hands of an officer have the option of also reporting the incident to COPA. Reporting to COPA can be done via their website at <https://www.chicagocopa.org/complaints/>.

TITLE IX and Preventing Sexual Violence in Higher Education

State and federal law prohibit sex discrimination in educational settings. A school's failure to respond to reports of sexual violence or to accommodate student survivors may qualify as sex discrimination under these laws. If you are a student impacted by sexual violence your school has a responsibility to ensure appropriate accommodations are provided to you, in addition to investigating the harm you experienced, if the person who caused the harm is a student or faculty of the school.

Additionally, the Preventing Sexual Violence in Higher Education Act requires that your school provide you access to a Confidential Advisor, if you attend a college or university. This individual can help you navigate your options and is not a mandated reporter at your institution.

If you choose to file a Title IX complaint and engage in the Title IX process, you may be able to pursue disciplinary action against the person who harmed you and access accommodations such as:

- Changing class schedules
- Providing an escort between classes/work
- Transportation accommodations
- Obtaining or enforcing campus/state orders of protection/no-contact orders
- Excused absences
- Extensions on assignments/exams
- Withdrawing from school with no financial penalty

*Requesting accommodations from a professor or teaching assistant will trigger a mandated report.

Resilience can support you in navigating and accessing the legal options available to you. Call for more information on how an advocate can support you.