

A Message from Illinois Attorney General
LISA MADIGAN



Stalking is a serious crime that presents unique challenges for the criminal justice system. A 2009 U.S. Department of Justice Study reported that 3.4 million people are stalked in the United States each year. And 76% of women who are murdered by their domestic abuser were stalked by that abuser prior to their death.

Under a new law that took effect on January 1, 2010, Illinois offers greater protection for stalking victims. Victims can now ask a court to issue a Stalking No Contact Order which will place specific restrictions on stalkers. This brochure provides additional information on Stalking No Contact Orders, as well as Sexual Assault Civil No Contact Orders and Domestic Violence Orders of Protection.

Illinois law now also makes it easier to prosecute cases of stalking by recognizing that stalking does not always involve specific threats of harm. Additionally, the law now requires that in stalking prosecutions, the judge or jury must consider the stalker's behavior from the victim's perspective and experience.

If you are being stalked, I urge you to reach out for help. We all have the right to be safe.

Lisa Madigan
Attorney General



LISA MADIGAN
ILLINOIS ATTORNEY GENERAL

For more information about how you can protect yourself through the Stalking or Sexual Assault Civil No Contact Orders, or through the Domestic Violence Order of Protection, please contact our Policy staff.

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HOW ILLINOIS LAW CAN PROTECT YOU FROM STALKING

*Illinois Orders of
Protection and
No Contact Orders*

Stalking
No Contact Order

Sexual Assault
Civil No Contact Order

Domestic Violence
Order of Protection



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.

Sexual Assault Civil No Contact Order

Who is eligible for these protections?

Any person who is a victim of non-consensual 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.

Domestic Violence Order of Protection

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 misdemeanor. A subsequent violation or a violation following other domestic convictions is a Class 4 felony.