

## An Interview with...

### The Illinois Attorney General Lisa Madigan's Office

- **Wendy Cohen**, Senior Policy Advisor
- **Cindy Hora**, Assistant Attorney General, Chief of Crime Victims Services

#### Q: What was the impetus for creating a stalking-specific protection order?

A: For Stalking Awareness Month in 2009, Attorney General Madigan hosted a round table to discuss the newly released Department of Justice Bureau of Justice study on *Stalking Victimization in the United States* and the effectiveness of Illinois's stalking law. While Illinois was one of the first states to pass an anti-stalking law, we realized it needed updating. Our challenge was to draft laws to criminally prosecute more stalkers and to offer victims protections even if the victim has no relationship to the stalker. The Stalking No Contact Order (SNCO) was created to protect those victims.

#### Q: How is the stalking protection order different from other protection orders in your state?

A: Illinois has two other protective orders, the Domestic Violence Order of Protection and the Sexual Assault Civil No Contact Order (CNCO). The Stalking No Contact Order (SNCO) is for the victims who do not have a relationship, as defined under the domestic violence order of protection, with the stalker. The no contact and stay away provisions are the same for all three orders, but the SNCO and the CNCO have fewer

remedies, since issues regarding children and property are not present.

#### Q: Once the law went into effect, how did you make communities aware of the new resource?

A: The Attorney General's office partnered with the Illinois Coalition Against Sexual Assault and the Illinois Coalition Against Domestic Violence to train law enforcement, prosecutors, and advocates throughout the state. A federal grant funded trainings in 30 communities across the state. These multi-disciplinary trainings not only educated attendees on the new law, they also provided the opportunity for attendees to discuss how to implement the law in their communities. We continue to train wherever and whenever we're invited.

**WENDY COHEN** is a Senior Policy Advisor focusing on women's issues in Illinois Attorney General Lisa Madigan's Office.

**CINDY HORA** is an Assistant Attorney General and Chief of the Crime Victim Services Division. She has been an advocate for victims for more than 25 years.

**Q: Have there been any challenges or unintended consequences since the stalking order became available?**

A: The challenges have mostly been training issues and legal advocacy. Because the legislation broadened the definition of stalking, we have seen a few instances in which the new definition has been stretched too far by petitioners—for example, neighbor to neighbor disputes have sometimes ended up in the courts. A second challenge has been providing legal advocacy for victims of stalking.

**Q: Do you think the availability of the stalking order has been helpful for stalking victims?**

A: Absolutely. It's a protection that was not available prior to January 1, 2010. Like any other restraining order, there are violations, but those violations can [now] be prosecuted.

**Q: Is there anything you would recommend to states that are looking to create a stalking-specific order?**

A: Work as a team with victim advocates, prosecutors, and law enforcement not only to pass legislation, but also to educate everyone on the purpose of a stalking order. If everyone is at the table prior to passage and implementation, it's easier for everyone to use the order appropriately, which will ultimately protect victims. In hindsight, it would have been helpful to have input from the judiciary since this has been our biggest training challenge. Involvement of circuit court clerks who are responsible for providing the forms to be provided in court also would have been helpful.

The Illinois Attorney General's website, [www.illinoisattorneygeneral.gov/women/index.html](http://www.illinoisattorneygeneral.gov/women/index.html), has information on stalking as well as a crime victims toll-free number, 1-800-228-3368, for victims in Illinois.

Stalking victims who call are provided with information about stalking, the process for obtaining a stalking no contact order, and referrals to programs in Illinois that may be able to provide advocacy for victims.

We also recommend reviewing statutory language and case law from other states. If you're considering particular language, look for a state with similar language and research case law to learn how the language might be interpreted so you can avoid any adverse statutory construction rulings that the state may have encountered ■