

1 AN ACT concerning domestic violence.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Police Training Act is amended
5 by adding Section 15 as follows:

6 (50 ILCS 705/15 new)

7 Sec. 15. Domestic violence instruction.

8 (a) The Board shall implement by January 1, 2004, a
9 course or courses of instruction for the training of law
10 enforcement officers in Illinois in the handling of domestic
11 violence complaints and also shall develop guidelines for law
12 enforcement response to domestic violence. The course or
13 courses of instruction and the guidelines shall stress
14 enforcement of criminal laws in domestic violence situations,
15 availability of civil remedies and community resources, and
16 protection of the victim. Where appropriate, the training
17 presenters shall include domestic violence experts with
18 expertise in the delivery of direct services to victims of
19 domestic violence, including using the staff of shelters for
20 battered women in the presentation of training.

21 (b) The course of basic training for law enforcement
22 officers and the guidelines for law enforcement response
23 shall, no later than January 1, 2004, include adequate
24 instruction in the following procedures and techniques:

25 (1) the legal duties imposed on police officers to
26 make arrests and offer protection and assistance
27 including guidelines for making felony and misdemeanor
28 arrests;

29 (2) the techniques for handling incidents of
30 domestic violence that minimize the likelihood of injury
31 to the officer and that promote the safety of the victim;

1 (3) the nature and extent of domestic violence;

2 (4) the legal rights of, and remedies available to,
3 victims of domestic violence;

4 (5) the use of an arrest by a private person in a
5 domestic violence situation;

6 (6) the documentation, report writing, and evidence
7 collection on incidents of reported domestic violence;

8 (7) the tenancy issues arising from domestic
9 violence;

10 (8) the impact of law enforcement intervention in
11 domestic violence on children;

12 (9) the services and facilities available to
13 victims and batterers;

14 (10) the use and application of the Illinois
15 Domestic Violence Act of 1986 in domestic violence
16 situations;

17 (11) the verification and enforcement of temporary
18 restraining orders when (i) the suspect is present, and
19 (ii) the suspect has fled;

20 (12) the verification and enforcement of protective
21 orders; and

22 (13) the emergency assistance to victims and how to
23 assist victims in pursuing criminal justice options.

24 (c) Local law enforcement agencies are encouraged to
25 include periodic updates and training on domestic violence as
26 a part of their advanced officer training program. The Board
27 shall assist where possible.

28 (d) The course of instruction, the learning and
29 performance objectives, the standards for the training, and
30 the guidelines shall be developed by the Board, in
31 consultation with appropriate groups and individuals having
32 an interest and expertise in the field of domestic violence.
33 The groups and individuals shall include, but shall not be
34 limited to: one representative each from the following

1 entities: Administrative Office of the Illinois Courts, the
2 Department on Aging, the Department on Children and Family
3 Services, the Illinois Coalition Against Domestic Violence,
4 the Illinois Coalition Against Sexual Assault, the Illinois
5 Council for the Prevention of Violence, the Illinois Criminal
6 Justice Information Authority, the Illinois State Police
7 Academy, the Office of the Attorney General, and the Office
8 of the State's Attorneys Appellate Prosecutor. At least one
9 of the persons selected shall be a former victim of domestic
10 violence.

11 The Board, in consultation with these groups and
12 individuals, shall review existing training programs to
13 determine ways domestic violence training might be included
14 as a part of ongoing programs.

15 (e) Each law enforcement officer who is assigned to
16 patrol duties and would normally respond to domestic violence
17 calls or incidents of domestic violence shall complete, every
18 2 years, an updated course of instruction on domestic
19 violence that is developed according to the standards and
20 guidelines issued under subsection (d). The instruction
21 required under this subsection shall be funded from existing
22 resources available for the training required under this
23 Section. It is the intent of the General Assembly not to
24 increase the annual training costs of local government
25 entities.

26 Section 10. The Illinois Domestic Violence Act of 1986
27 is amended by changing Section 303 as follows:

28 (750 ILCS 60/303) (from Ch. 40, par. 2313-3)

29 Sec. 303. Reports by law enforcement officers; recording
30 domestic violence calls for assistance; annual report.

31 (a) Every law enforcement officer investigating an
32 alleged incident of abuse, neglect, or exploitation between

1 family or household members shall make a written police
2 report of any bona fide allegation and the disposition of
3 such investigation. The police report shall include the
4 victim's statements as to the frequency and severity of prior
5 incidents of abuse, neglect, or exploitation by the same
6 family or household member; and the number of prior calls for
7 police assistance to prevent such further abuse, neglect, or
8 exploitation; and the observation of any signs that the
9 alleged abuser was under the influence of alcohol or a
10 controlled substance.

11 (b) Every police report completed pursuant to this
12 Section shall be recorded and compiled as a domestic crime
13 within the meaning of Section 5.1 of the Criminal
14 Identification Act.

15 (c) Each law enforcement agency shall develop a system
16 by January 1, 2004, for recording all domestic violence
17 related calls for assistance made to the agency including
18 whether weapons are involved. All domestic violence related
19 calls for assistance shall be documented with a written
20 incident report, as described in subdivision (a), identifying
21 the domestic violence incident. The total number of domestic
22 violence calls received and the number of those cases
23 involving weapons shall be compiled monthly by each law
24 enforcement agency and submitted to the Attorney General.

25 (d) The Attorney General shall report annually to the
26 Governor, the General Assembly, and the public the total
27 number of domestic violence related calls received by
28 Illinois law enforcement agencies, the number of cases
29 involving weapons, and a breakdown of calls received by
30 agency, city, and county.

31 (Source: P.A. 86-542; 87-1186.)