
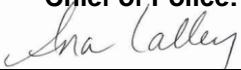
	<b>ELGIN POLICE DEPARTMENT</b> 151 Douglas Avenue Elgin, Illinois 60120	
<b>Effective Date:</b> 01/01/03	<b>STANDARD OPERATING PROCEDURE</b>	<b>Revised Date:</b> 04/07/25
<b>Chief of Police:</b> 	Domestic Violence, 55.3	
<b>Cross Reference:</b> SOP 1.6 Firearms Concealed Carry Act SOP 1.7 Firearms Restraining Order Act SOP 55.1 Victim Witness Assistance SOP 83.1 Physical Evidence Operations <a href="#">320 ILCS 20/1</a> <a href="#">325 ILCS 5/1</a> <a href="#">720 ILCS 5/12-3.2</a> <a href="#">720 ILCS 5/12-3.3</a> <a href="#">720 ILCS 5/12-3.5</a> <a href="#">725 ILCS 5/110-10 (d)</a> <a href="#">725 ILCS 5/112A-27</a> <a href="#">725 ILCS 5/112A-30</a> <a href="#">750 ILCS 60/301</a> <a href="#">750 ILCS 60/301.1</a> <a href="#">750 ILCS 60/304</a>		<b>Policy Sections:</b> 55.3.1 Emergency Communications Division Responsibilities 55.3.2 Officer Safety 55.3.3 Responding Officer Responsibilities 55.3.4 Standards for Arrests 55.3.5 Incident Reporting and Documentation 55.3.6 Evidence 55.3.7 Limited Law Enforcement Liability 55.3.8 Child Abuse Reporting 55.3.9 Hope Cards 55.3.10 Training Appendix A: IDVA 72 Hour Rule Appendix B: Kane County Child Advocacy Center Law Enforcement Referral Form Appendix C: Training Bulletin TB-23-06 Appendix D: Training Bulletin TB-23-22 Appendix E: Sample of a Hope Card

## PURPOSE

The purpose of this policy is to establish procedures for responding to domestic violence calls for service and to outline department responsibilities relative to the Illinois Domestic Violence Act of 1986, 750 ILCS 60/.

## POLICY STATEMENT

It is the policy of the department to provide immediate and effective assistance, protect victims of domestic violence and take appropriate action against offenders. The department recognizes that domestic violence is a serious crime against the individual and the community. Police officers shall treat domestic violence incidents in the same manner as all other requests for police assistance.

## DEFINITIONS

**Abuse:** Abuse means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.

**Cellular Phone Ping:** A cellular phone “ping” is the act of determining the estimated current location of a cell phone. This may be accomplished via GPS data or by using cell tower triangulation. Obtaining a cellular phone ping is a valuable technique that may be utilized for a variety of emergency situations.

**Domestic Violence:** Means abuse as defined in this policy.

**Emergency Order of Protection:** A court order that protects a petitioner from harm and takes effect as soon as a judge approves the order. Due to the risk of harm, the law does not require the respondent to know about the hearing. The order is effective for 14 to 21 days until the hearing date for a Plenary Order of Protection.

**Hope Card:** Part of an initiative where the Supreme Court may collaborate with other governmental agencies, including the Attorney General, the Secretary of State and circuit court clerks to implement a program to issue a Hope Card to a petitioner of a plenary order of protection for the petitioner to distribute to any individual who may need to be aware of the order.

**Interference with Personal Liberty:** Means committing or threatening physical abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which she or he has the right to abstain or refrain from conduct in which she or he has the right to engage.

**Interim Order of Protection:** A judge may grant a petitioner an Interim Order after a respondent has been served. This order may last up to 30 days.

**Family or Household Member:** Includes spouse, former spouses, parents, children, stepchildren, and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling and persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship.

**Order of Protection:** An emergency, interim or plenary order granted by the court which may include any or all remedies outlined in the Illinois Domestic Violence Act of 1986.

**Plenary Order of Protection:** Issued by a judge after a hearing where the petitioner is required to be present. The respondent is notified of the hearing but may choose not to attend. When granted, the order may be in effect for up to two years.

**Predominant Physical Aggressor:** The person in the relationship primarily responsible for the pattern of abuse or criminal offense such as domestic battery or aggravated domestic battery.

**Pretrial Release:** Pretrial release refers to the conditions of release from custody to which defendants must adhere during the time period between the filing of charges by law enforcement and the court process.

**Rapid SOS:** Software used to link life-saving data from connected devices to the Emergency Communications Division and first responders.

## ***PROCEDURES***

### **55.3.1 EMERGENCY COMMUNICATIONS DIVISION RESPONSIBILITIES**

- A. Upon receipt of the request for police assistance, telecommunicators shall assess the circumstances and dispatch the appropriate resources.
- B. Telecommunicators shall obtain information which shall include, but not limited to:
  - 1. Exact location/address and telephone number. When the need arises for a telecommunicator to trace an emergency call for service, the telecommunicator will first utilize the phase two location and Rapid SOS. If these two systems fail to provide an accurate location, the telecommunicator will contact the cellular provider to conduct a cellular phone ping to obtain a precise location and provide notification to the on-duty patrol supervisor that a phone ping is being conducted.
  - 2. When the circumstances of the call indicate a potential long-term cellular phone ping due to the unsuccessful phase two and Rapid SOS attempts, the telecommunicator will request a detective from the investigations area or in the absence of a detective, the on-duty patrol supervisor, to serve as the contact person for the long-term cellular phone ping.
    - a. Cellular phone pings should be set for every 15 minutes, depending on the circumstances of the case.
    - b. Notification to the assisting detective or on-duty supervisor should be established to ensure the GPS coordinates are captured and communicated to the Patrol Division and/or assisting agencies.
  - 3. Type of injuries.
  - 4. Weapon descriptions.

5. Offender's identity, including descriptions.
  6. Location of the offender.
- C. Telecommunicators shall check the names and addresses reported against any cross-referenced information located in the law enforcement data systems used by the department to determine if there are previous reported incidents involving the same parties and/or the same address, if any, whether there are valid orders of protection in existence and forward the information to responding officers via email or other electronic means.
- D. Any alerts and officer safety information associated with the parties and/or the location shall be given to responding police officers.

### **55.3.2 OFFICER SAFETY**

The investigation of domestic violence cases often places police officers in emotionally charged and potentially dangerous environments. No provision of this policy is intended to supersede the responsibility of all police officers to exercise due caution and reasonable care in providing for the safety of any police officers and involved parties.

### **55.3.3 RESPONDING OFFICER RESPONSIBILITIES**

- A. Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and shall be considered among the highest of response priorities; this includes incomplete 911 calls.
- B. Police officers will investigate complaints of persons who are a victim of domestic violence in a safe and expeditious manner. The Illinois Domestic Violence Act of 1986 requires police officers to assist the victim, arrest the offender where appropriate and to report the incident.
- C. During the initial contact at the scene, police officers shall:
1. When safe and time permitting, secure the scene and separate the subjects.
  2. Evaluate the physical condition of the subjects and render first aid and if necessary, request emergency medical assistance.
  3. Attempt to obtain written statements from victims, witnesses, suspects and medical personnel. In the event children witnessed the incident, ensure the Department of Children and Family Services is notified.
  4. Determine the predominant physical aggressor. When making this determination, police officers will consider:
    - a. Prior complaints of domestic violence.
    - b. Relative severity of injuries to each person.
    - c. Likelihood of future injury to each person.
    - d. The use of any weapon to inflict injury or to intimidate or threaten the victim.
    - e. The relative fearfulness and excited utterances of each person.
    - f. The context of violent acts by assessing:
      1. The intent of the person who displayed the violence.
      2. The meaning of the violent act to the victim.

3. The effect of the violent act on the victim's behavior.
5. Advise the victim of the importance of preserving evidence such as permitting the police officer to photograph signs of abuse and property damage. Follow-up photographs of the victim should be taken later as injuries may not immediately appear. These photographs may be initiated in any of the following ways:
  - a. Victim contacts the department with notification that injuries are now visible, and a police officer is dispatched to take photographs of the injuries. The officer is also responsible for preparing a supplemental police report to document the incident.
  - b. Victim arrives at the department's information desk to report visible injuries, and the employee assigned to the information desk requests an officer to take the photographs. The police officer is also responsible for preparing a supplemental police report to document the incident.
  - c. Whenever possible, the originally assigned police officer shall take photographs of the victim's injuries.
- D. As specified in 725 ILCS 5/112A-30 and 750 ILCS 60/304, when a police officer has reason to believe that a person has been abused by a family or household member, the police officer shall immediately use all reasonable means to prevent further abuse, including:
  1. Arresting the offender, where appropriate; refer to Section 55.3.4 for more information.
  2. If there is probable cause to believe that particular weapons were used, subject to constitutional limitations, seizing and taking inventory of the weapons.
  3. Accompany the victim to their residence for a reasonable period of time to gather personal items.
  4. Provide the victim with immediate and adequate information regarding their rights, available resources, referrals to an accessible service agency, and assistance. Refer to Standard Operating Procedure 55.1 Victim/Witness Assistance for additional information. Whenever possible, police officers shall ensure this information is communicated in a language that the victim understands.
  5. Advise the victim with information about seeking medical attention and preserving evidence (specifically including photographs of injury or damage and damaged clothing or other property).
  6. Providing or arranging accessible transportation for the victim and at the victim's request, any minors or dependents in the victim's care, to a medical facility for treatment of injuries or to a nearby place of shelter or safety or after the close court business hours, providing or arranging for transportation for the victim and at the victim's request, any minors or dependents in the victim's care, to the nearest available circuit judge or associate judge so that the victim may file for an emergency order of protection. As stated in Standard Operating Procedure 55.1 Victim/Witness Assistance, police officers may petition for an emergency order of protection, if necessary.
  7. When the victim chooses to leave the scene of the incident, it is presumed that it is in the best interests of any minors or dependents in the victim's care to remain with the victim or person designated by the victim, rather than to remain with the offender. If there is a question of neglect or abuse of a minor child, the police officer shall contact the Department of Children and Family Services.
  8. Advise the victim of their right to file a criminal complaint at a later date and where such complaint may be filed, if an immediate arrest is not made.

9. When requested, arrange for a member of the Social Services Unit to respond to the scene to provide the victim with services that are available to them and serve as a liaison between the department and the victim.
  - a. Otherwise, a member of the Social Services Unit shall follow up with the victim. There are multiple strategies the Social Services Unit employs to keep abreast of domestic violence incidents, and they are as follows:
    1. Daily review of web briefing notes containing domestic violence arrests located on the department's Intranet Site.
    2. Weekly review of New World generated spreadsheet containing domestic violence arrests located within the secured Social Services Unit folder on the city's shared computer system.
    3. New World Mobile Client to view incidents as they occur.
    4. Direct contact from a victim requesting services.
    5. Information provided by the responding police officer or detective.
  - b. Follow-up assignments are prioritized based on the severity of the crime. Priority is often provided for incidents where there is an order of protection, the victim seeks assistance or a police officer requests assistance.
- E. Pursuant to 725 ILCS 5/110-10 (d), when a person is charged with a criminal offense and the victim is a family or household member, as defined in this policy, conditions shall be imposed at the time of the defendant's release that restrict the defendant's access to the victim.
  1. Unless otherwise provided by the court, the restrictions shall include requirements that the defendant do the following:
    - a. Refrain from contact or communication with the victim for a minimum period of 72 hours following the defendant's release.
    - b. Refrain from entering or remaining at the victim's residence for a minimum period of 72 hours following the defendant's release.
  2. Prior to the release of the defendant, as a condition of pretrial release, police officers shall complete the IDVA 72 Hour Rule form and have the defendant sign the form. If the defendant refuses to sign the form, the officer should indicate "refused" on the signature line for the defendant. This form is accessible in PowerDMS and in DACRA. Refer to Appendix A to view this form.
    - a. A copy of this form shall be provided to the defendant and a copy shall be attached to the police report. If police officers are unable to make a copy of the signed form, the form shall be scanned using their department issued cell phone and emailed to the defendant. If the defendant does not have an email address, a copy of the form shall be printed at a later time and mailed to the defendant. A copy of the form shall also be electronically sent to [EPDrecords@cityofelgin.org](mailto:EPDrecords@cityofelgin.org) to be attached to the police report.
    - b. When possible, the police officer's verbal notification and completion of this form shall be captured on the police officer's body worn camera.

#### **55.3.4 STANDARDS FOR ARRESTS**

- A. 750 ILCS 60/301 – Arrests without a warrant

1. Any police officer may make an arrest without a warrant if the police officer has probable cause to believe that the person has committed or is committing any crime, including, but not limited to Section 12-4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012, even if the crime was not committed in the officer's presence.
  2. The police officer may verify the existence of an order of protection by telephone or radio communication with their law enforcement agency or by referring to the copy of the order provided by the petitioner or respondent.
  3. Any police officer may make an arrest without a warrant if the police officer has reasonable grounds to believe a defendant at liberty under the provisions of the Code of Criminal Procedure of 1963 has violated a condition of his/her warrant bond, for those counties that accept bond for a warrant or conditions of pretrial release.
- B. Police officers investigating reports of domestic violence should consider the appropriate charges including domestic battery, aggravated domestic battery and interfering with the reporting of domestic violence, 720 ILCS 5/12-3.2; 720 ILCS 5/12-3.3; and 720 ILCS 5/12-3.5.
- C. Police officers investigating a domestic violence incident, who encounter an individual released due to a previous domestic violence offense, should attempt to determine if there are reasonable grounds to believe that the individual is violating a condition of warrant bond, for those counties that accept bond for a warrant, or conditions of pretrial release by making contact with the victim, or by entering or remaining at the victim's address within 72 hours following the defendant's release, 725 ILCS 5/110-10(d) which is described in Section 55.3.3 (d) of this policy.
- D. The unwillingness of the victim to pursue charges shall not be sufficient reason not to arrest.
1. In these instances, the police officer should sign the complaint if the victim is unwilling or reluctant to sign the complaint.
  2. However, if the officer determines that there are extenuating circumstances that mitigate against an arrest, approval from a supervisor shall be sought.
- E. If another crime has been committed during a violation of an Order of Protection, that crime should also be charged.
- F. Police officers shall take appropriate enforcement action when there is probable cause to believe an offense has occurred, 725 ILCS 5/112A-30. Factors that shall not be used as sole justification for declining to take enforcement action include:
1. The parties are living together.
  2. The parties have sought civil remedies.
  3. The victim has been previously unwilling to participate in the complaint, arrest, or court process.
  4. Verbal assurances that the violence will cease.
- G. When the police officer does not exercise police powers or otherwise initiate criminal proceedings pursuant to 725 ILCS 5/112A-30, the police officer shall:
1. Prepare a police report of the investigation of any bona fide allegation of an incident of abuse with the disposition of the investigation; this is covered in Section 55.3.5.
  2. Inform the victim of the victim's right to request that a criminal proceeding be initiated where appropriate, including specific times and places for meeting with the state's attorney's office, a warrant officer, or other official in accordance with local procedure.

3. Advise the victim of the importance of seeking medical attention and preserving evidence of the abuse.
- H. Police officers shall inform the victim as to why there is no probable cause for arrest or initiating a criminal proceeding. When the victim is not satisfied with the police officer's explanation for not exercising arrest powers or initiating a criminal proceeding, the officer shall request a supervisor to provide a further explanation. Refer to Section 55.3.5 for information on incident reporting and documentation.

#### **55.3.5 INCIDENT REPORTING AND DOCUMENTATION**

- A. Police officers investigating an incident of domestic violence between family or household members shall prepare a police report, even if an arrest was not made. The report shall contain the following information, but not limited to:
1. Facts and circumstances of the incident.
  2. Statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
    - a. The Kane County Child Advocacy Center has the primary investigative responsibility for all cases of incidents of sexual abuse, sexual exploitation/indecent solicitation and serious physical abuse involving a child under the age of 13 years old.
    - b. When an incident meets the above criteria, officers shall not interview the child victim, nor should a written or recorded statement be obtained. The only exception is when there is some type of articulable exigency or safety issue.
    - c. Police officers shall complete the Kane County Child Advocacy Center Law Enforcement Referral Form and email the completed form to <mailto:kanecac@co.kane.il.us>, along with the police report to the Kane County Child Advocacy Center. This form is available in PowerDMS; refer to Appendix B to view this form.
    - d. In an emergency, during outside hours, officers may contact the Kane County Child Advocacy Center's call phone number at 224-407-1253 to review the facts with an on-call criminal investigator to determine if they will accept the investigation and to coordinate an immediate response that may be necessary.
    - e. When the child is a victim in a case that has no possibility to going to the child advocacy center, police officers can interview the child victim through the use of non-leading questions.
  3. Information from the victim as to the frequency and severity of the violence and prior incidents of abuse, to include, if known, prior requests for police assistance.
  4. Whether there are visible injuries or complaints of injuries.
  5. The presence of firearms.
  6. Effects of alcohol or narcotics on the parties involved.
  7. The existence of Orders of Protection.
  8. Documentation of information provided to the victim such as the Statement of Marcy's Rights or the Victim's Services Information Sheet. Refer to Standard Operating Procedure 55.1 Victim Witness Assistance for more information.

9. The result of the investigation.
  10. If an arrest is not made, police officers shall explain the reasons for their decision.
- B. If the police officer has reasonable belief that the offender poses a clear and present danger to themselves or others, especially if the offender possesses a FOID card, the police officer shall:
- C.
1. Complete a police report depicting the events leading to the determination that the person poses a clear and present danger.
  2. Complete the ISP – Person Determined to Pose a Clear and Present Danger form by accessing the Illinois State Police Law Enforcement Portal at <https://www.cclisp.com>.
  3. For instructions on how to complete the electronic form, refer to Training Bulletins TB-23-06, refer to Appendix C to view this bulletin, and TB-23-22, refer to Appendix D to view this bulletin, which are accessible via PowerDMS. A copy of the form shall be attached to the police officer's police report and the police officer's police report and other supporting documentation shall be uploaded to the electronic form.
  4. Based on the totality of the circumstances, a supervisor should be contacted to:
    - a. Confiscate the weapon for safekeeping when the police officer can articulate an immediate threat.
    - b. Determine if the police officer should complete a Verified Petition for a Firearms Restraining Order or an Emergency Firearms Restraining Order. Refer to Standard Operating Procedure 1.7 Firearms Restraining Order Act for more information.

#### **55.3.6 EVIDENCE**

- A. Police officers shall obtain consent from the victim(s) to photograph their injuries. Ensure photographs of visible injuries and property damage are taken and arrange follow-up photographs as visible injuries may not immediately appear.
- B. Police officers shall submit a request to the communications shift supervisors to preserve the 911 recording(s) for evidentiary purposes.
- C. Determine if there is additional evidence related to the offense such as electronic communication or photographs.
- D. Police officers shall follow department policy as it relates to the submission of evidence. Refer to Standard Operating Procedure 83.1 Physical Evidence Operations.

#### **55.3.7 LIMITED LAW ENFORCEMENT LIABILITY**

Any act of omission or commission by any law enforcement officer acting in good faith in rendering emergency assistance or otherwise enforcing the Illinois Domestic Violence Act shall not impose civil liability upon the police officer or his/ her supervisor or employer, unless the act is a result of willful or wanton misconduct.

#### **55.3.8 CHILD ABUSE REPORTING**

- A. Specific statutory duties are imposed under the Abused and Neglected Child Reporting Act, 325 ILCS 5/1, pertaining to incidents of domestic violence or abuse involving children as victims.
- B. As indicated in Standard Operating Procedure 44.2 Juvenile Operations, officers are mandated to report to the Department of Children and Family Services when they have reasonable cause to believe that a child known to them in their professional or official capacities may be an abused or



neglected child.

#### **55.8.9 HOPE CARDS**

- A. Pursuant to 750 ILCS 60/219.5, Hope Cards may be issued to the petitioner of a plenary order of protection for the petitioner to distribute to any individual who may need to be aware of the order. Refer to Appendix E to view a sample Hope Card.
- B. Police officers coming into contact with an individual who has been granted a plenary order of protection shall be aware that the Hope Card has the same effect as the underlying plenary order of protection and shall verify the validity of the plenary order of protection through LEADS/NCIC.

#### **55.8.10 TRAINING**

Pursuant to 725 ILCS 5/112A-27 and 750 ILCS 60/301.1, in the initial training of new recruits and every five years in the continuing education of law enforcement officers, every law enforcement agency shall provide training to aid in understanding the actions of domestic violence victims and abusers and to prevent further victimization of those who have been abused, focusing specifically on looking beyond the physical evidence to the psychology of domestic violence situations, such as the dynamics of the aggressor-victim relationship, separately evaluating claims where both parties claim to be the victim, and long-term effects. Training pertaining to probationary police officers shall be part of the Field Training Program. Cross reference Standard Operating Procedure 33.5 In-Service, Roll Call Advanced Training.

## APPENDIX A: IDVA 72 HOUR RULE



### IDVA 72 Hour Rule Notice to the Defendant



You have been charged with a criminal offense that involves a family or household member as a victim. This notification is being provided to you pursuant to 725 ILCS 5/110-10(d).

\_\_\_\_\_

Date

\_\_\_\_\_

Time

\_\_\_\_\_

Police Report Number

(725 ILCS 5/110-10) (from Ch. 38, par. 110-10) Sec. 110-10. Conditions of pretrial release.

(d) When a person is charged with a criminal offense and the victim is a family or household member as defined in Article 112A, conditions shall be imposed at the time of the defendant's release that restrict the defendant's access to the victim. Unless provided otherwise by the court, the restrictions shall include requirements that the defendant do the following:

(1) You are ordered to have no contact with the below named individual(s) for a minimum of 72 hours following the defendant's release.

\_\_\_\_\_

(2) You are ordered to stay away from their residence, listed below, for a minimum of 72 hours following the defendant's release.

\_\_\_\_\_

(720 ILCS 5/32-10) (from Ch. 38, par. 32-10) Sec. 32-10. Violation of conditions of pretrial release.

(b) Whoever, having been released pretrial under conditions for appearance before any court of this State, while charged with a criminal offense in which the victim is a family or household member as defined in Article 112A of the Code of Criminal Procedure of 1963, knowingly violates a condition of that release as set forth in Section 110-10, subsection (d) of the Code of Criminal Procedure of 1963, commits a Class A misdemeanor. (c) Whoever, having been released pretrial for appearance before any court of this State for a felony, Class A misdemeanor or a criminal offense in which the victim is a family or household member as defined in Article 112A of the Code of Criminal Procedure of 1963, is charged with any other felony, Class A misdemeanor, or a criminal offense in which the victim is a family or household member as defined in Article 112A of the Code of Criminal Procedure of 1963 while on this release, must appear before the court and may not be released by law enforcement under 109-1 of the Code of Criminal Procedure of 1963 prior to the court appearance.

(725 ILCS 5/112A-3) (from Ch. 38, par. 112A-3) Sec. 112A-3. Definitions.

(3) "Family or household members" include spouses, former spouses, parents, children, stepchildren, and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in subsection (e) of Section 12-4.4a of the Criminal Code of 2012. For purposes of this paragraph (3), neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship.

\_\_\_\_\_

Defendant's Name (print)

\_\_\_\_\_

Defendant's Signature

\_\_\_\_\_

Officer's Signature

\_\_\_\_\_

Badge #

151 Douglas Avenue, Elgin, IL 60120 Phone: (847) 289-2500 Fax: (847) 289-2750

Effective 09/2023

**APPENDIX B: KANE COUNTY CHILD ADVOCACY CENTER  
LAW ENFORCEMENT REFERRAL FORM**

Police Department _____	Police Report #: _____	<b>Submit Form</b>
<b>Kane County Child Advocacy Center Law Enforcement Referral Form</b>		
<p>This form is to be used to report cases of sexual assault/abuse and serious physical abuse of children as per CAC protocol. <b><u>DO NOT INTERVIEW ANY CHILD VICTIM OR WITNESS.</u></b> BASIC INFORMATION SHOULD BE OBTAINED FROM OTHERS WHO HAVE KNOWLEDGE OF THE FACTS.</p>		
Date of Report: _____		Time of Report: _____
<b>Reporting Party:</b>		
Name: _____	Address: _____	
Phone#: _____	Relationship to Victim: _____	
Language spoken: _____		
<b>Victim Information:</b>		
Name: _____	Age: _____	DOB: _____ Sex: _____ Race: _____
Address: _____		
Guardian Name: _____	Language spoken: _____	
Victim's Grade & School _____		
<b>Allegation:</b> Sex Abuse      Serious Physical Abuse      (circle one)		
Date of Occurrence: _____	Location: _____	
Comments: _____ _____ _____		
<b>Suspect Information:</b>		
Name: _____	Age: _____	DOB: _____ Sex: _____ Race: _____
Address: _____		
Lives with victim? _____	Is suspect still in the residence? _____	
Language spoken: _____		
Reporting Officer: _____		Badge #: _____
Signature	Print	
<p>Submit this form with a copy of your Police Report to the CAC: Fax # 630-208-5159 or email: <a href="mailto:kanecac@co.kane.il.us">kanecac@co.kane.il.us</a></p>		
<p><b>Completing this form does not relieve you of the responsibility to call the DCFS Hotline if required (1-800-25-ABUSE )and/or to assure the immediate safety of children.</b></p>		
<small>H:\Referral to CAC (2).doc</small>		

## APPENDIX C: TRAINING BULLETIN TB-23-06

	<b>TRAINING BULLETIN</b>	
	Date: February 28, 2023	Issue: TB-23-06
	<b><i>Electronic Submission of Clear &amp; Present Danger Reporting Forms</i></b>	

The purpose of this bulletin is to inform officers that beginning on March 1, 2023, the Illinois State Police is requiring that all Clear & Present Danger Reporting Forms be completed electronically using the link provided by the state police.

### Where is the Link?

The link to the Illinois State Police Law Enforcement Portal has been added to the EPD homepage, under Investigative Resources. Users can also go to the Illinois State Police website at <https://www.cclisp.com> to access the portal.



### Your Account to Access the Portal

An account is being created for every sworn officer. Your username will be your department email address:

*Username example:* schuessler\_a@cityofelgin.org

Your password will be your last name (capital first letter), #, and your badge number:

*Password example:* Schuessler#248

### Instructions for Completing the New Form

Go to the next page to view the instructions.





## Welcome to the Law Enforcement Portal

The following training will educate you on properly submitting a **REQUEST FOR CLEAR and PRESENT DANGER (C&PD)** on a potentially dangerous subject who has communicated a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or demonstrated threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.

**NOTE: THE FOLLOWING TRAINING IS ONLY A REVIEW OF THE STEPS IN THE CLEAR AND PRESENT DANGER REPORTING PROCESS. TO INQUIRE ABOUT TRAINING ON THE LEGALITIES OF CLEAR AND PRESENT DANGERS PLEASE CONTACT THE ISP OFFICE OF FIREARMS SAFETY.**

Please submit only one request for an individual per incident.

1. The Login information has been provided to you or your agency administrator. The LOG-IN screen will prompt you for your credentials:

### LOGIN

User Id

Password

**Sign In**



2. Once logged in, you will have the option to view your inbox, or submit a new request:

TESTLEO  
HARDIN POLICE DEPARTMENT  
IL6070100

Logout  
My Profile

CCL Apps < 30 days  
CCL Application Search  
Card Retrieval Inbox  
Reports  
User Management  
Application Filters

CLEAR AND PRESENT DANGER

Submit  
My Inbox

FOLD Enforcement Grant  
Frequently Asked Questions  
Firearms Intelligence Resources

### CLEAR AND PRESENT DANGER INBOX

SEARCH

Clear and Present Id Created On or After Create

mm/dd/yyyy

Reporter Information Involved Person Inform

Agency Last Name

### RESULTS

Show 25 entries

ID	Status	Reporter
Showing 0 to 0 of 0 entries (filtered from NaN total entries)		

3. You will notice a navigation bar across the top, this displays your progress through the submission.

### CLEAR AND PRESENT DANGER REQUEST

Reporter Individual Narrative and Attachments Affirmation Review Confirmation



4. The first portion of the REPORTER page identifies the officer submitting the request or another department official with knowledge of the incident. This is the officer who has determined a request for Clear and Present Danger should be submitted. The officer most likely responded to a call for service or interacted with the subject of the C&PD during a self-initiated activity.

#### REPORTER

INCIDENT DATE mm/dd/yyyy <small>This field is required.</small>	CASE NUMBER  <small>Required</small>	CITY OF ARREST/VIOLENCE  <small>Required</small>	
FIRST NAME Test	LAST NAME LEO	TBN TR	STATE  

NOTE: the boxes in red are required, you will not be permitted to proceed without completing these boxes.

5. The next portion is the REPORTING AGENCY. If your agency has multiple offices or precincts, please use the address of the precinct or headquarters of your primary assignment. This information may be auto populated if your profile page is complete.

Reporting Agency		
Agency Type  <small>Required</small>	Agency HARDIN POLICE DEPARTMENT	
Street  <small>Required</small>	City  <small>Required</small>	State  <small>Required</small>



6. The REPORTING OFFICIAL CONTACT INFORMATION box documents the reporting officer's contact information.

Reporting Official Contact Information	
Phone	Fax (optional)
<input type="text"/>	<input type="text"/>
Email	
<input type="text"/>	





7. The next box required for the complete submission is the SUPERVISOR CONTACT INFORMATION.

Supervisor Contact Information	
First Name	Last Name
<input type="text"/>	<input type="text"/>
Phone	Fax (optional)
<input type="text"/>	<input type="text"/>
Email	
<input type="text"/>	
<input checked="" type="checkbox"/> I acknowledge proper notification has been made to my supervisor that the subject identified in this submission has been determined to be a Clear and Present Danger.	

NOTE: The reporting official must confer with a supervisor prior to submitting the request. This box is mandatory.



8. The final box for Agency contact information is the RECORDS DEPARTMENT CONTACT INFORMATION. If your agency does not have a records contact please use the name of an administrative assistant or office professional that can be contacted with follow-up questions or requests for administrative documents.

Records Department Contact Information	
First Name	Last Name
<input type="text"/>	<input type="text"/>
Phone	Fax
<input type="text"/>	<input type="text"/>
Email	
<input type="text"/>	

9. The LAW ENFORCEMENT box is for use by police officers when an arrest was made. Please indicate the charges against the subject of the C&PD using plain language. Citing statute is not required. This area will not be required for School Administrators or Medical Professionals.

Law Enforcement
Charges <input type="text"/>



10. The MEDICAL INFORMATION box is for use by officers when medical treatment was offered to the subject of the C&PD. If medical attention was not requested by officers or the subject on scene choose "Not Requested" and you will be permitted to proceed to the next page of the submission.

Medical Information		
Medical attention was	Transported by	
<input type="text" value="Not Requested"/>	<input type="text"/>	
Facility Name	Facility Telephone	Treating Physician
<input type="text"/>	<input type="text"/>	<input type="text"/>

11. After completing this page click the blue "Next" button at the bottom right of the page. If you need to return to any page you can do so by clicking the "Back" button on the following pages. If you must navigate back to previous pages and forward again, information will be saved until submitted.

[Back](#)

[Next](#)

12. The INDIVIDUAL page will capture the pertinent information on the subject of the C&PD request. Please note, these boxes are required.

#### INDIVIDUAL

First Name	Last Name	Date of Birth	Sex		
<input type="text" value="Tommy"/>	<input type="text" value="Gunn"/>	<input type="text" value="01/11/1982"/>	<input type="text" value="Male"/>		
Street	City	State	Phone		
<input type="text" value="12 County Rd. 500 S."/>	<input type="text" value="Hardin"/>	<input type="text" value="Illinois"/>	<input type="text" value="6185423802"/>		
Race	Height (Feet)	Height (Inches)	Weight	Hair	Eye
<input type="text" value="White"/>	<input type="text" value="5'"/>	<input type="text" value="8"/>	<input type="text" value="195"/>	<input type="text" value="Brown"/>	<input type="text" value="Gray"/>
Has a FOID?	FOID Number				
<input type="text" value="Yes"/>	<input type="text" value="0000000001"/>				
Driver's License/ID State	Driver's License/ID Number				
<input type="text" value="Illinois"/>	<input type="text" value="G500-6198-2031"/>				

\*Note: A "guardian" box will appear if the subject is under 21 years of age.



13. The NARRATIVE AND ATTACHMENTS page is next. Please provide a detailed narrative of the facts supporting the determination of a "Clear and Present Danger," including specific behaviors or statements made by the subject, dates and times of the behaviors or statements in question, any witnesses to the specific behaviors or statements, and whether any of the behaviors or statements by the subject were captured on an audio and/or video recording. Please submit any reports, attachments, or supporting documentation referenced in the detailed narrative. These documents do not need to be approved by a supervisor, only signed by the reporting officer. Please note that a request to "see the submitted report(s)" will not be sufficient for the required narrative and that failure to provide any of the requested information may result in a delayed response or denial of the request.

14. The narrative box will expand as needed to ensure all details can be documented.

#### NARRATIVE AND ATTACHMENTS

Please provide a detailed narrative of the facts supporting the determination of a "Clear and Present Danger," including specific behaviors or statements made by the subject, dates and times of the behaviors or statements in question, any witnesses to the specific behaviors or statements, and whether any of the behaviors or statements by the subject were captured on an audio and/or video recording. Please submit by uploading into this portal any reports, attachments, or supporting documentation referenced in the detailed narrative. Please note that a request to "see the submitted report(s)" will not be sufficient for the required narrative, and that failure to provide any of the requested information may result in a delayed response or denial of the request.

Narrative

Tommy Gunn was arrested following a report of shots fired at the occupied residence of John Wick. Tommy was located after a witness observed his vehicle fleeing the scene. Once stopped for investigative purposes, Tommy was found to be under the influence of alcohol. He failed SPSTs and refused to submit to additional testing. Spent shell casings and live rounds were found in Gunn's vehicle.

15. Including attachments is encouraged. Please upload all documents relative to the case. Witness statements, incident reports, screenshots of messages, and pictures are all accepted.

Attachments

+ Select File

16. The next portion confirms the information being submitted to the ISP via the LE Portal is accurate and affirmed by the submitting officer. The final check box is a reminder to attach any additional documents necessary to the request.

The reporting officer (John Public) certifies that Tommy Gunn poses a clear and present danger in that they demonstrated threatening physical or verbal behavior, such as violent, suicidal or aggressive threats, actions, or other behaviors. (420 ILCS 66/1.1)

☐ This field is required. I agree to the above statement.

I have attached all reports, attachments, or supporting documentation to support this Clear and Present Danger Determination.

☐ This field is required. I agree to the above statement.



17. The AFFIRMATION Page captures the behaviors which have been exhibited by the subject of the C&PD request. Please remember to answer these questions truthfully and to the best of your ability. These statements are affirmed by the submitting officer before the completion of the request.

18. Step one on the AFFIRMATION page identifies if the subject demonstrated a threatening physical behavior or displayed threatening verbal behaviors. One of these boxes must be checked.

Pursuant to 430 ILCS 65/1.1, "Clear and present danger" means a person who:

1. communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or
2. demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.

The person who is the subject of this Clear and Present Danger Determination Report (hereafter subject):

Demonstrated threatening physical behavior(s)

☐ Yes ☐ No ☐ N/A

Required

Demonstrated threatening verbal behavior(s)

☐ Yes ☐ No ☐ N/A

Required

19. The next portion of the AFFIRMATION page is required for the submission. Please click the appropriate boxes under "ALL THAT APPLY" to further describe details of the incident. If "YES" is selected an "ADDITIONAL DETAILS" box will pop up. Please briefly describe the details of the behavior. A selection is required in each question to proceed.

Please check all that apply:

The subject has a known history of mental health issues.

☒ Yes ☐ No ☐ N/A

Additional Details



20. Please ensure the firearm box is checked if a firearm was used. This box will not be checked if the threat of a firearm was made but a firearms was not present.

A firearm was present at the time of the threatening physical or verbal behavior.

☒ Yes ☐ No ☐ N/A

Additional Details

Loaded?

☐ Yes ☐ No ☒ N/A

Round chambered?

☐ Yes ☐ No ☒ N/A

If so, a firearm was brandished or displayed.

☐ Yes ☐ No ☒ N/A

If so, the subject threatened another person or himself/herself with the firearm.

☐ Yes ☐ No ☒ N/A

If so, the subject used the firearm to injure another or himself/herself?

☐ Yes ☐ No ☒ N/A

If so, the firearm was discharged.

☐ Yes ☐ No ☒ N/A



21. Other weapons are documented in the next area of the Affirmation page. Please be sure to identify the dangerous weapon in the narrative area of the portal.

A dangerous weapon other than a firearm was present.

☒ Yes ☐ No ☐ N/A

Additional Details

If so, the dangerous weapon was brandished or displayed.

☐ Yes ☐ No ☒ N/A

If so, the subject threatened another person or himself/herself with the dangerous weapon.

☐ Yes ☐ No ☒ N/A

If so, the subject used the dangerous weapon to injure another person or himself/herself.

☐ Yes ☐ No ☒ N/A

22. The next step is to document alcohol/drug use. Please use the narrative space to further describe the evidence of alcohol/drug use. Also, indicate if the individual is a convicted felon. The box is mandatory, yet an unknown tab is available.

There was evidence of alcohol use.

☐ Yes ☐ No ☐ N/A

Required

There was evidence of illicit narcotic use, addiction or possession.

☐ Yes ☐ No ☐ N/A

Required

The subject is a convicted felon

This field is required.



23. This concludes this portion of the affirmation step. If necessary, users can navigate back in the process to review the submission or make edits.

[Back](#)

[Next](#)

24. Once the required boxes are checked the user can proceed to the confirmation page. Users can print a copy of the submission for their records. The submission will also be available in the user's inbox. Users can view the PDF of the submission and check the status of the case. Once a determination is made users will receive a notification in their portal inbox, as well as the email used during the submission.

#### RESULTS

Show 25 entries

ID	Status	Reporter	Individual	Actions
ID: 2001-447 Created: 1/28/2023 9:59:18 AM Modified: 1/20/2023 11:03:43 AM	Status: Submitted OFS Status: Pending Review CPS Disposition: Not Set	John Public John.Q.Public@Hardin.Police.Illinois.gov HARDIN POLICE DEPARTMENT	Tammy Ours 1/11/1982 0000000001	<a href="#">View PDF</a> <a href="#">View</a>

Showing 1 to 1 of 1 entries

[Previous](#) [1](#) [Next](#)

25. A pdf confirmation page looks like the pages below:



Status: Disposition Set  
Disposition: Affirmed



ID Number  
2301-447  
1/20/2023 9:59 AM

ILLINOIS STATE POLICE  
CLEAR AND PRESENT DANGER REPORT

REPORTING OFFICIAL/AGENCY

Case Number	Date Of Incident		
1	1/20/2023		
Name	Reported By Law Enforcement		
John Public TR, Not Set Shift	HARDIN POLICE DEPARTMENT 1445 South First St Hardin, IL		
Phone #	Fax #	Email	
2175554666	2175585368	John.Q.Public@Hardin.Police.illinois.gov	
Supervisor Name	Supervisor Email	Supervisor Fax	Supervisor Telephone
Roger Todd	Roger.Todd@hardin.police.illinois.gov	2175585368	2175551212
I acknowledge proper notification has been made to my supervisor that the subject identified in this submission has been determined to be a Clear and Present Danger.			
Records Name	Records Email	Records Phone	
Paper Pirate	paper.pusher@hardin.police.illinois.gov	6185559999	
County Of Arrest	Charges		
Sangamon	Agg. DUI; Unlawful use of Weapon, Agg. Discharge of Weapon		
Medical Attention Type	Transported By		
Not Requested			
Treating Medical Facility	Medical Facility Phone #	Treating Physician	

INDIVIDUAL POSING A CLEAR AND PRESENT DANGER

Name	Date of Birth		Address		
Tommy Gunn	1/11/1982		12 County Rd. 500 S. Hardin, IL		
Phone	DL/ID State	DL/ID Number	Has FOID?	FOID #	
6185423692	IL	G500-6198-2031	Yes	0000000001	
Eye	Hair	Height	Race	Sex	Weight
Gray	Brown	5'8"	White	Male	195lbs

Guardian Name

Guardian Telephone

### NARRATIVE

Tommy Gunn was arrested following a report of shots fired at the occupied residence of John Wick. Tommy was arrested after a witness observed his vehicle fleeing the scene. Once stopped for investigative purposes, Tommy was found to be under the influence of alcohol. He failed SFSTs and refused to submit to additional testing. Spent 9mm shell casings and live 9mm rounds were found in Gunn's vehicle.

### AFFIRMATION

The person who is the subject of this Clear and Present Danger Determination Report (hereafter subject):

1 Demonstrated threatening physical behavior(s): Tommy Gunn fired shots at the occupied residence of John Wick while driving under the influence of alcohol.

1 Demonstrated threatening verbal behavior(s):

The subject has a known history of mental health issues:

1 The subject made suicidal comments:

1 The subject attempted suicide :

1 The subject has a known history of suicide attempts or suicidal ideation:

1 The subject has made threats of violence to others:

1 The subject was taken to a hospital for a mental health evaluation and treatment as a result of the behavior(s) related to this Clear and Present Danger Determination?:

1 A firearm was present at the time of the threatening physical or verbal behavior: Glock 17 9mm

1 Loaded?:

1 Round chambered?:

1 If so, a firearm was brandished or displayed:

1 If so, the subject threatened another person or himself/herself with the firearm:

1 If so, the subject used the firearm to injure another or himself/herself?:

1 If so, the firearm was discharged: Rounds fired at the residence of John Wick

1 Firearms Restraining Order has been sought or there is a plan to seek one:

1 A dangerous weapon other than a firearm was present:

1 If so, the dangerous weapon was brandished or displayed.

1 If so, the subject threatened another person or himself/herself with the dangerous weapon.

1 If so, the subject used the dangerous weapon to injure another person or himself/herself.

1 There was evidence of alcohol use: Also arrested for DUI

1 There was evidence of illicit narcotic use, addiction or possession:

Unknown The subject is a convicted felon:

The reporting official (John Public) certifies that Tommy Gunn poses a clear and present danger in that they demonstrated threatening physical or verbal behavior, such as violent, suicidal or assaultive threats, actions, or other behaviors. (430 ILCS 65/1.1)



26. The request for C&PD will be reviewed at multiple levels and AFFIRMED or NOT AFFIRMED by an ISP employee. Once a determination has been made by the ISP you will receive a notification in your portal inbox. The notification will have a green affirmed icon if it was approved. It will have a red not affirmed icon if it is not approved.

#### RESULTS


Show 25 4 of 11395

ID	Status	Reporter	Individual	Actions
ID: 2901-633 Created: 1/24/2023 10:10:47 AM Modified: 1/24/2023 10:56:11 AM	Status: Disposition Set CPS Status: Review Completed CPS Disposition: <b>Affirmed</b>	William Kradke Viktorovs@CPO.Gov HARDIN POLICE DEPARTMENT	Johnny Walker 3/27/1982 5551111	<a href="#">View CPS</a> <a href="#">View</a>
ID: 2901-447 Created: 1/25/2023 9:59:18 AM Modified: 1/24/2023 12:41:34 PM	Status: Disposition Set CPS Status: Review Completed CPS Disposition: <b>Affirmed</b>	JOHN PUBLIC John.Q.Public@hardin.Police.Illinois.gov HARDIN POLICE DEPARTMENT	Torothy Smith 1/11/1982 0000000001	<a href="#">View CPS</a> <a href="#">View</a>

**For additional information or technical support please contact the Illinois State Police,  
Office of Firearms Safety.**

**Thank You for completing this tutorial.**

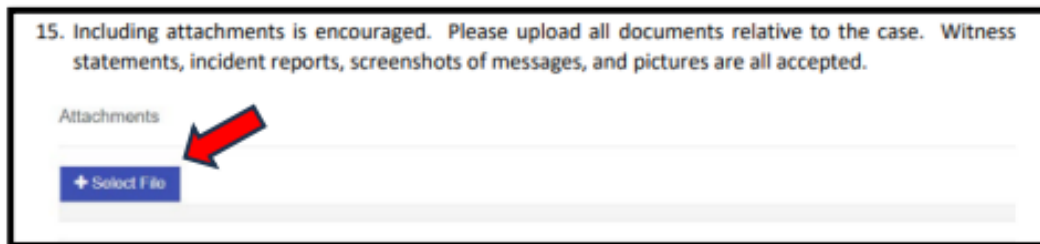
## APPENDIX D: TRAINING BULLETIN TB-23-22

	<b>TRAINING BULLETIN</b>	
	Date: June 27, 2023	Issue: TB-23-22
	<b><i>Update to Electronic Clear &amp; Present Danger Reporting</i></b>	

A Training Bulletin titled TB-23-06 - Electronic Submission of Clear & Present Danger Reporting Forms was published earlier this year. The purpose of this bulletin is to ensure officers are aware of important updates to the Electronic Clear & Present Danger Reporting process as provided by the Illinois State Police.



### Use of the Attachments Section of the Electronic Report Form

A copy of the case report, supplemental report or other supporting documentation must be uploaded to the electronic report form; see the below screenshot.



15. Including attachments is encouraged. Please upload all documents relative to the case. Witness statements, incident reports, screenshots of messages, and pictures are all accepted.

Attachments

### Other Reminders

1. Please ensure all information is being entered into the portal boxes accurately. Review your submissions before clicking submit.
2. The hard copy Clear and Present Danger Form is no longer being accepted, please use the portal for all submissions. Refer to Training Bulletin: TB-23-06 Electronic Submission of Clear & Present Danger Reporting for a complete overview of the electronic process.
3. The LE Portal can be found here: [IL Law Enforcement Agency Portal \(cclisp.com\)](http://cclisp.com)
4. Please contact [ISP.CCW.Illinois@illinois.gov](mailto:ISP.CCW.Illinois@illinois.gov) with any questions regarding registration or problems in the portal.
5. Please contact [ISP.OfficeofFirearmsSafety@illinois.gov](mailto:ISP.OfficeofFirearmsSafety@illinois.gov) with any questions, concerns, or requests for training.
6. Additional or delayed reports can be submitted to [ISP.OfficeofFirearmsSafety@illinois.gov](mailto:ISP.OfficeofFirearmsSafety@illinois.gov). Please note the subject's Name and the Report Number in the subject line of your email.

APPENDIX E: SAMPLE OF A HOPE CARD


Front

**PLENARY ORDER OF PROTECTION**  
Circuit Court of Clark County

Case No.: 2024 OP 456  
Petitioner: Jane Doe  
Respondent: Jonathan Doe  
Other protected parties: Judy Doe

Remedy 14.5 (Firearms Prohibition): YES  
OP issued: 12/05/2024  
OP expires: 12/05/2026

*Law enforcement must verify information in LEADS*



Back

**Respondent Information**  
Gender: Male  
Race: White  
Height: 6'0" Weight: 200  
DOB: 01/01/2000  
Hair color: Brown  
Eye color: Brown  
Other distinguishing features or aliases: AKA Jon Doe, heart tattoo on forearm  
Card printed on: 12/05/2024

*Law enforcement must verify information in LEADS*