

What is Domestic Violence?

Illinois Domestic Violence Act, 750 ILCS 60/103 defines Domestic Violence as the following:

(1) Physical Abuse, 750 ILCS 60/103(14)

- Includes sexual abuse
- knowing or reckless use of physical force, confinement or restraint
- knowing, repeated and unnecessary sleep deprivation
- knowing or reckless conduct which creates immediate risk of physical harm

(2) Harassment, 750 ILCS 60/103(7)

- knowing conduct which is not necessary to accomplish a purpose which is reasonable under the circumstances and causes a reasonable person emotional distress

Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct as presumed to cause emotional distress:

- creating a disturbance at the petitioner's place of employment or school
- repeatedly telephoning petitioner's place of employment, home or residence;
- repeatedly keeping a person under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
- repeatedly following a person in a public place;
- improperly concealing a child from petitioner, repeatedly threatening to remove a child of petitioner's from the jurisdiction or the physical care of the petitioner, repeatedly threatening to conceal a minor child from the petitioner or making a single such threat following an actual or attempted improper removal or concealment, unless the respondent was fleeing from an incident or pattern of domestic violence; or,
- threatening physical force, confinement or restraint on 1 or more occasions.

(3) Intimidation of a Dependent, 750 ILCS 60/103(10)

- subjecting a person who is dependent because of age, health or disability to participate in or witness: physical force against another or physical confinement or restraint of another which constitutes physical abuse, regardless of whether the abused person is a family or household member.

(4) Interference with Personal Liberty, 750 ILCS 60/103(9)

- 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 a right to abstain or to refrain from conduct in which she or he has a right to engage.

(5) Willful Deprivation, 750 ILCS 60/103(15)

- willfully denying a person who because of age, health or disability requires medication, medical care, shelter, accessible shelter or services, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm except when the dependent person has expressed an intent to forgo such medical care or treatment. This paragraph does not create an affirmative duty to support dependent persons.