

CINDY BISCHOF LAW
Cindy Bischof Law/GPS Monitoring
for Violation of Order of Protection

The Cindy Bischof law (Public Act 95-0773) went into effect on 01 January 2009. The law is named after Cindy Bischof, an Arlington Heights woman who was killed by an ex-boyfriend who had repeatedly violated her Order of Protection. The law allows a judge to order a defendant charged with or convicted of violation of an order of protection, 725 ILCS 5/110-5(f), to wear a Global Positioning System (GPS) monitoring device.

The following are key points of the Cindy Bischof Law:

When an offender is charged with Violating an Order of Protection:

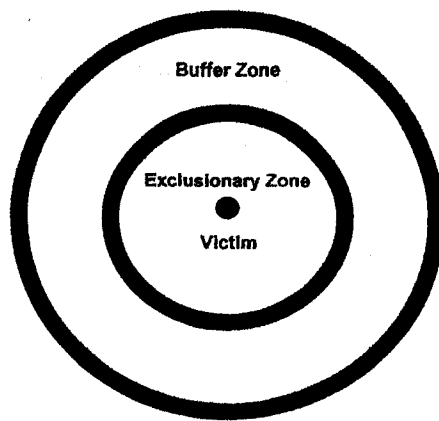
1. The court may order the offender to undergo a risk assessment evaluation.
2. The court when setting bail may consider the risk assessment and other factors which pose a threat to the safety of the victim.
3. The court may as a condition of bail, order the offender be placed under electronic surveillance.

When an offender is convicted of Violating an Order of Protection:

1. The court may require an offender sentenced to probation or conditional discharge for violating an order of protection to wear a GPS monitoring device.
2. A defendant released from prison after serving a sentence for a felony violation order of protection must be placed on GPS monitoring as a condition of parole, mandatory supervised release or early release.

The following are key points of the GPS Monitoring Program:

- The Cook County Adult Probation Department partnered with a private vendor to administer and monitor the GPS program.
 - Court-ordered protection zones are established with input from the victim. In addition, the offender may be prohibited from coming within 2500 feet of the victim. The victim may choose to carry a GPS device, but it is not required. A breach occurs when an offender enters the court-ordered protection zone or mobile protection zone.
 - The private vendor will notify OEMC when a offender breaches the protection zone or mobile protection zone.
 - OEMC will dispatch Department members to the location of the breach to investigate.
 - Department members responding to a GPS monitoring protection zone breach will follow the procedures enumerated in General Order 99-07-01A entitled, "Orders of Protection."
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Exclusionary Zones

- Stationary Exclusionary Zone: Within 2500 feet of a specific location.
- Mobile Exclusionary Zone: Within 2500 feet of the victim, wherever the victim may be.
- Buffer Zone: An additional 2500 feet around the Exclusionary Zones.

Breach of Exclusionary Zones

- Victim is contacted by automated call, followed by live operator call, when there is a breach of the Buffer Zone.
- OEMC is contacted when the Exclusionary Zone is breached.

Violation of Exclusionary Zones

A breach may be a violation of conditions of monitoring but not be a criminal offense. If a criminal offense has been committed, use the following reporting information:

If VOOP has been committed (i.e. Offender violated order to stay away from a specific location):

- Make arrest
- Primary: Violation of Order of Protection
- Secondary: "GPS Monitoring Device"

A crime other than VOOP:

- Use proper IUCR code as primary, enter "VOOP GPS Monitoring Violation" in the 'unusual characteristics' data field.
- Additional charges may apply (Violation of a Condition of Probation, 730 ILCS 110/11)
- Contact Cook County Adult Probation at 312-491-6628

FOR ADDITIONAL INFORMATION, CONTACT THE DOMESTIC VIOLENCE PROGRAM AT 312-745-6340, PAX 0348

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