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The Emerging Legal Crisis
Facing Chicago's Black and Brown Communities

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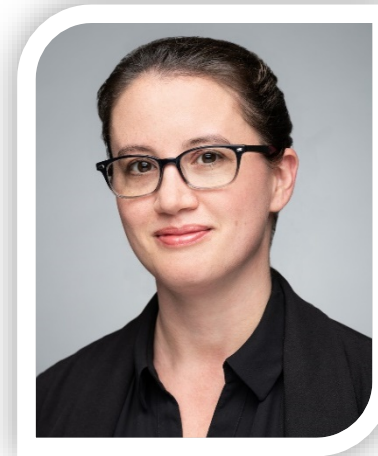
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AMANDA PYRON

*Executive Director, The Network:
Advocating Against Domestic Violence*



BENNA CRAWFORD

*Director, Children & Families Practice Group,
Legal Aid Chicago*



ELIZABETH RODRIGUEZ

*Staff Attorney, Children & Families Practice Group,
Legal Aid Chicago*



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The Network

ADVOCATING AGAINST
DOMESTIC VIOLENCE

2019 DATA REPORT ON DOMESTIC VIOLENCE

AMANDA PYRON

Executive Director

The Network: Advocating to End Domestic Violence



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The Network

ADVOCATING AGAINST
DOMESTIC VIOLENCE

The Network: Advocating Against Domestic Violence (The Network) is a coalition of over 30 diverse organizations that provide domestic violence-related services in the Chicago metropolitan area. The Network is dedicated to improving the lives of those impacted by domestic violence through education, public policy and advocacy, and the connection of community members to direct service providers.



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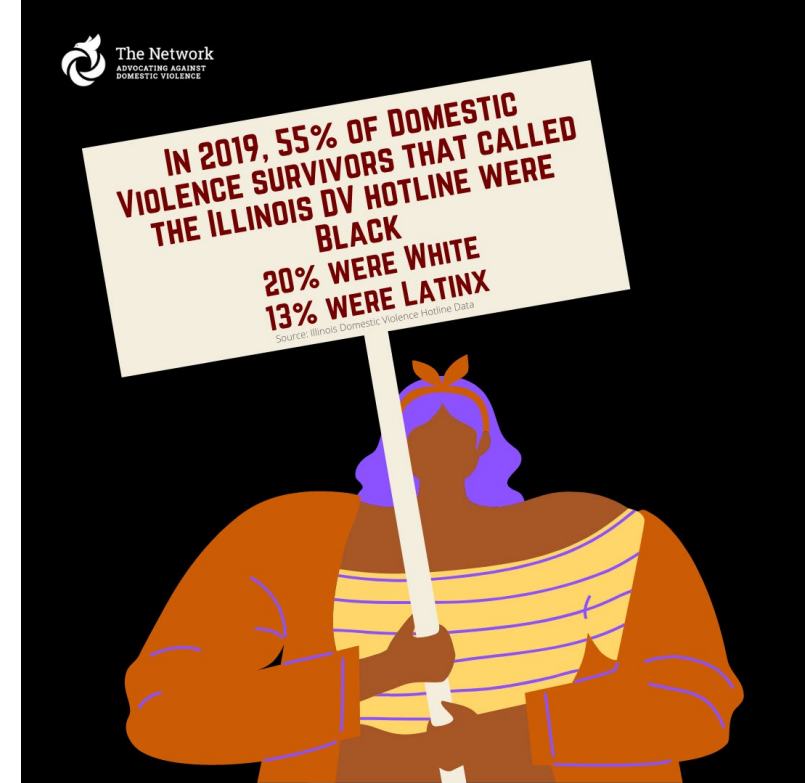
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SURVIVOR DEMOGRAPHICS



The majority of survivors identified as female, heterosexual, and Black. When statewide data from InfoNet was compared against data from the Illinois Domestic Violence Hotline, this over-representation of Black survivors decreased slightly.

The majority of survivors are under the age of 45 and 11 percent between the ages of 18 and 24

Further research on those receiving services is needed to understand potential barriers for individuals in Illinois.

An illustration of a person with brown hair, wearing a black dress with a white and purple geometric pattern. They are holding a white rectangular sign above their head with both hands. The sign contains text about domestic violence statistics. The background is solid black.

**IN 2019, LESS THAN 20%
OF DOMESTIC VIOLENCE
SURVIVORS REPORTED
HAVING A LONG TERM
HOUSING DESTINATION**

Source: Network analysis of InfoNet data

SURVIVOR NEEDS

Most Widely Used Services:

- Legal Advocacy
- Counseling
- Case Management

In 2019 when asked if the services they were provided with, majority of survivors responded in the affirmative to questions regarding increased access to community resources, seeing their future as hopeful, safety planning, and feeling safer from the person who had caused them harm.

These services, however, still have limited capacity, and many survivors are turned away by service providers. In 2019, 4,033 adults and 4,018 children were turned away from a domestic violence service provider*. On the following two pages these numbers are broken down across regions. The northern and southern regions have seen their turn away counts decreasing over recent years, but the suburbs have had a steady increase in the number turned away.

**IN 2019, 71% OF
DOMESTIC
VIOLENCE
HOMICIDE VICTIMS
IN IL WERE BLACK**

Source: Network analysis of CPD data obtained through a FOIA request.



Recommendations

- Address Inequality
- Expand the Service Models
- Increase Victim Participation
- Increase funding for prevention
- Increase services for those who use violence





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COVID-19 & DOMESTIC VIOLENCE IN THE LATINX COMMUNITY



ELIZABETH RODRIGUEZ

*Staff Attorney, Children & Families Practice Group,
Legal Aid Chicago*

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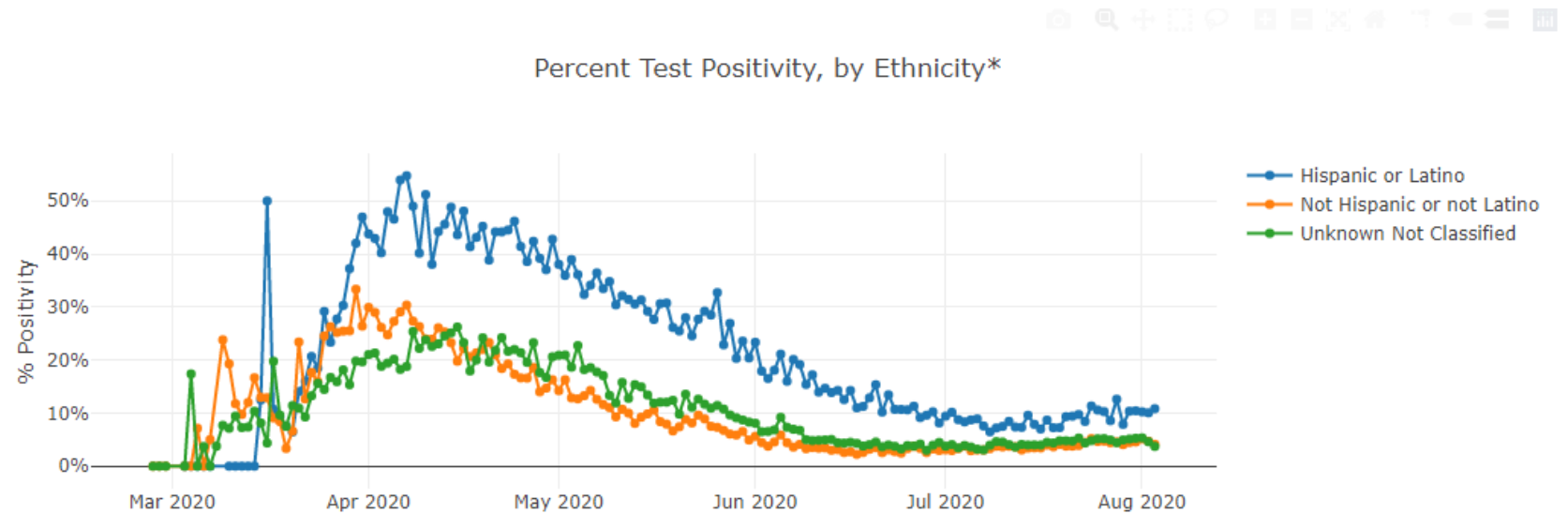
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RATE OF INFECTION



41% of the Illinois' total infection rate
have been Latinx
(17% of the population).

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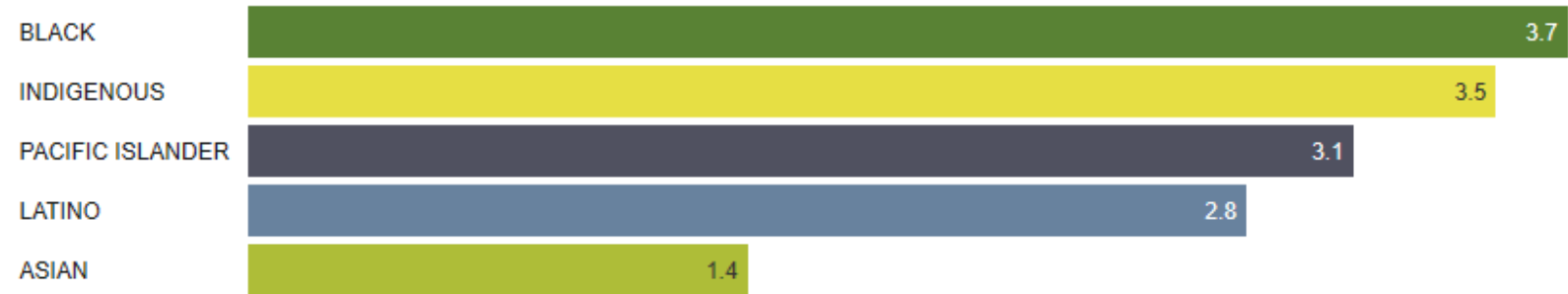
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MORTALITY

Adjusted for age, other racial groups are this many times more likely to have died of COVID-19 than White Americans

Reflects mortality rates calculated through Aug. 4.



Indirect age-adjustment has been used.

Source: [APM Research Lab](#) • [Get the data](#) • Created with [Datawrapper](#)

Latinx population twice as likely to die as white population.



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TARA'S STORY

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IN COMES LEGAL AID CHICAGO (& COMMUNITY PARTNER AGENCY)...

Increase understanding and
access of the courts.



- Divorce
- Order of Protection
- Immigration proceedings
 - Removal defense
 - VAWA Application

Increase access to resources by
keeping clear communication
between all service agencies.



- Coronavirus relief options
- Remote learning support
- Public benefits
 - Food, healthcare, & stable housing

Next steps = Increase financial
literacy and employment
opportunities.



- Daycare assistance
- Employment training



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CLE CODE

ALC20819



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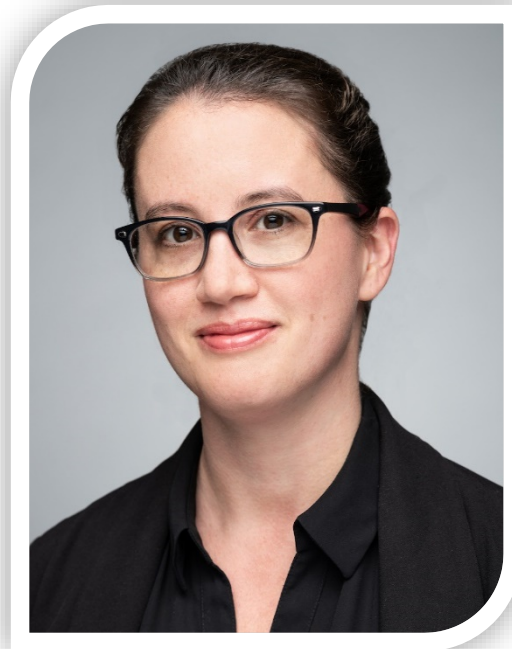
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*Director, Children & Families Practice Group,
Legal Aid Chicago*

PRACTICE GROUP HIGHLIGHTS

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DOMESTIC VIOLENCE ON THE RISE

- Economic instability
- Stress
- Close quarters
- Less opportunity to get away
- Where can you go in a pandemic?
- Further isolation from support networks
- Perceived lack of options emboldens perpetrators



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REMOTE PROCEEDINGS

- Removed barriers to court access
 - *Simplified procedures*
 - *Options for survivors*
 - *Not in the same physical space as abuser*
- New Challenges
 - *Going it alone*
 - *Time*
 - *Digital divide (data and devices)*
 - *Lack of information/misinformation*
 - *Prone to error*





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BRENDA'S STORY

- Daily abuse started during pregnancy
- High lethality risk
- When he found out she was thinking about leaving him, abuse escalated further.
- Emergency Order of Protection Granted
- Next court date, appeared via Zoom, but case dismissed without her knowledge.
- Legal Aid Chicago's Emergency Motion to Vacate and Reinstate granted!



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LEGAL AID CHICAGO V. DOROTHY BROWN

‘These survivors are reaching out for help’: Lawyers accuse Dorothy Brown’s office of failing to send paperwork for orders of protection in timely manner

By MADELINE BUCKLEY
CHICAGO TRIBUNE | AUG 06, 2020 AT 4:17 PM



WGN INVESTIGATES

Nonprofit says protection orders for abuse victims are being delayed, sues Cook County Court Clerk



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COMPLAINT FOR MANDAMUS

- What does the law require?
 - *Provide copies of protective orders to litigants immediately; and,*
 - *Transmit to the Sheriff the same day.*
- Ministerial, **yet matter of life and death**
 - *16% homicide victims in US killed by current or former partner*
 - *Increases to 50% when look at just female homicide victims*
 - *2016: 41% of law enforcement fatal calls domestic related*
 - *Poor information sharing with officers, leading cause*



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WHAT GOOD IS AN ORDER OF PROTECTION WITHOUT THE ORDER?



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A BIG WIN!

- Law means what it says.
 - *Immediately*
 - *Not as soon as is possible*
- Affects survivors across Cook County
 - *Public interest exception*
- Irreparable harm – orders without any use or value
- If someone harmed, can never make whole again

THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

431
446

ENTERED
Judge Sanjay Tailor-1870
AUG 10 2020
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
CHANCERY DIVISION

Lina Kouk and
Legal Aid Chicago,)
Plaintiffs,)
-v-) No. 20 CH 5200
Dorothy Brown, Clerk,) Cal. 9
Circuit Court of Cook County, Illinois,) Hon. Sanjay Tailor
Defendant.)

ORDER GRANTING TRO ON PLAINTIFFS' CLAIM FOR MANDAMUS

This cause comes before the Court for hearing on Plaintiffs' Motion for Temporary Restraining Order; Defendant having received due notice; and counsel for the parties having appeared remotely and made arguments before the Court, which is duly advised in the premises. **This Court hereby finds as follows:**

1. Plaintiffs have met their burden to establish the need and right to the entry of a temporary restraining order.
2. Section 222 of the Illinois Domestic Violence Act requires that,

"(a) Entry and issuance. Upon issuance of any order of protection, the clerk shall immediately (i) enter the order on the record and file it in accordance with the circuit court procedures and (ii) provide a file stamped copy of the order to respondent, if present, and to petitioner.

(b) Filing with sheriff. The clerk of the issuing judge shall, or the petitioner may, on the same day that an order of protection is issued, file a certified copy of that order with the sheriff or other law enforcement officials charged with maintaining Department of State Police records or charged with serving the order upon respondent."

750 ILCS 60/222(a), (b).
3. The Civil No Contact Order Act and Stalking No Contact Order Act contain identical

1



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MELISSA O. PICCIOLA

*Director, Volunteer Services Unit
Legal Aid Chicago*

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PRO BONO IMPACT



530

Attorneys &
other professionals



11,000

Hours



1900

Cases

Providing free legal services to more than

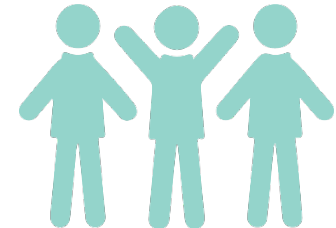
375

Children



1,000

Adults





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PRO BONO OPPORTUNITIES



Hotlines &
Help Desks



Virtual
Clinics



Litigation & Co-
Counseling



Transactional &
Limited Scope

Online & On-
Demand
Training
Provided

Opportunities
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non-attorneys

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subject matter
experts
available



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VOLUNTEER OPPORTUNITY: ORDER OF PROTECTION CASES

Provide direct representation to victims of domestic violence who are seeking to obtain an Order of Protection

- All cases are being heard remotely
- Great Hearing Experience: Hearings consist of opening statement, direct examination, cross-examination and closing statements
- 10-15 hour time commitment
- Training and support provided by experienced Legal Aid Chicago attorneys



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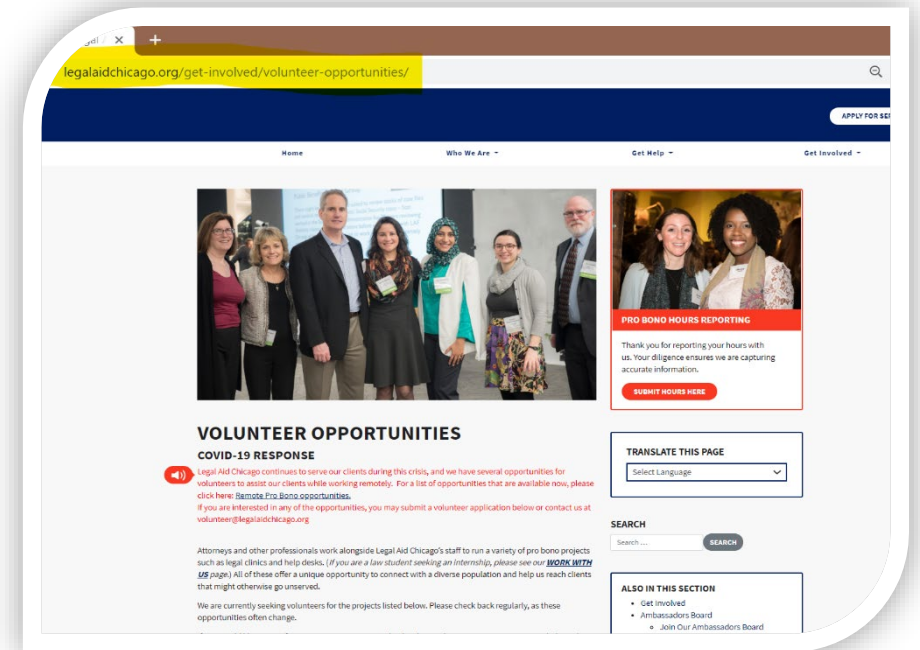
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- **Melissa Picciola, Director of Volunteer Services**
- volunteer@legalaidchicago.org
- 312-347-8338
- Visit <https://www.legalaidchicago.org/get-involved/volunteer-opportunities/>



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