



The Network  
ADVOCATING AGAINST  
DOMESTIC VIOLENCE

# Domestic Violence and Firearm Safety

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Survivor Safety Planning Around  
Firearms

# Purpose of Toolkit

The purpose of this toolkit is to facilitate discussions about safety and to provide guidance on developing an individualized safety plan. It is intended for people who want to provide support to someone experiencing harm within an interpersonal or domestic-based relationship[1].

Safety planning can help people who are still in relationships, people who want to leave, and people who have already left the relationship. Given the significant and increasing threat posed by firearms, there is a particular consideration to safety around guns, firearms, and ammunition. However, the content applies to any situation involving interpersonal violence.

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# I. Interpersonal Violence

Interpersonal violence (including domestic violence or intimate partner violence) refers to violence or harm between people in a close relationship. This includes partners, spouses, dating relationships, family members, people with children in common, roommates, guardians, and assistance/caregiver relationships.

Relationship violence is a pattern of harmful behavior to maintain power and control over another person. Harm can range in type, frequency, and severity. While all people can experience relationship violence, the type of harm, the meaning, and its effects will differ based on each person's position and identity in society. Often, power imbalances in a relationship are created or enabled by one person's leveraging their own societal privilege or evoking the other person's oppression. Other times, people who feel less powerful in society can use their feeling of powerlessness to justify the harm they cause the other person [2].

It is not uncommon for people being harmed to feel confused, afraid, angry, or trapped. They may love and care about the person causing harm, which can make it difficult for people outside of the relationship to understand the dynamics. There are long-term and short-term effects of continual abuse, both physically, emotionally, and psychologically. It can impact all aspects of a person's life. Abuse can have deep developmental effects on the children of people involved, as well as friends, family, community members, and the person causing the harm.

Abuse in a relationship may not just be physical, but also emotional, psychological, verbal, economic or financial, social, sexual, and reproductive. The harmful behavior can be both direct and indirect.

It may include but is not limited to:

- **Physical violence or threats**
  - Intimidation
  - Kidnapping, locking someone in a room
  - Driving recklessly
  - Forcing sleep deprivation
- **Emotional Abuse**
  - Name-calling, put-downs
  - Victim-blaming
  - Misusing pronouns
  - Damaging their reputation,
- **Isolation**
  - Preventing talking to or seeing friends or family (directly and indirectly)
  - Preventing outreach or engagement in outside systems, social support or one's community
  - Preventing going to work or school
- **Coercion, extortion, exploitation**
  - Harming or threatening to harm family, friends, or pets
  - Threatening to out their sexual or gender identity
  - Threatening to call immigration
  - Threatening or committing self-harm
  - Utilize societal discrimination to prevent seeking help
  - Destruction of property
- **Financial and Economic Abuse**
  - Controlling their money or income
  - Interfering or sabotaging job performance or job opportunities
  - Sabotaging their credit score
- **Restricting Access**
  - Controlling or preventing access to important documents
  - Denying access to medical treatment, hormones,
  - Controlling transportation means (Cars),
  - Restricting what they wear

## Firearms & Gun Violence

Firearms possessed by those who cause harm increases the risk of domestic violence-related homicide and long-lasting psychological trauma for survivors. It can be used to inflict harm—physical and emotional—on the survivor, their children, loved ones of the survivor, and even pets. The presence of a firearm instills fear and further asserts power and control.

### Chicago Statistics

2021 Year to Date Comparison to 2020 [4]



**19%** increase in fatal domestic violence shootings



**70%** increase in domestic violence shootings



**94%** increase in non-fatal domestic violence shootings

## Privilege & Harm

While relationship violence affects people of all identities, its impact is not equally felt. The impact of privilege on harm depends on gender, sex, race, ethnicity, class or income level, level of education, immigration status, sexual orientation, age, physical or mental ability, physical appearance, place of origin, language, religion, or dependency on others.

Queer and trans and gender nonconforming (TGNC) people and people of color are impacted at a higher rate than their white counterparts. Their experiences are exacerbated by the systemic marginalization and oppression that make resources unavailable, inaccessible, or irrelevant. Not only that, but legal systems and social institutions can enact further harm and violence when they seek help. [5]

## II. Your Role

This toolkit is designed for anyone who is looking to provide support to someone who is being harmed in a close relationship. It may be helpful for community members, people in service organizations, faith-based institutions, community centers, schools, childcare, friends, family members, or anyone else in a group or organization.

### Helping Someone Safety Plan

- Helping someone safety plan means **facilitating** the process, not leading it.
- Take their lead. Do not tell someone what they need to do for them to be safe.
- Even if you have had/seen similar experiences, everyone is different and will need different support to stay and feel safe.
  - This person is likely in a harmful situation in which power is being exerted over them--do not perpetuate this dynamic by insisting or coercing them to pursue certain options or remedies (such as calling 911, making a report, pressing charges, or leaving the person who is harmful)
- You will be the *most* helpful if you work *with* them; *understand* them and their varying complex circumstances, and help them with whatever they need at that given moment (or in the future). The goal is to empower, not instruct.
- Help someone define what safety looks like to them and help them think of ways to get there.
- Help someone consider risks that **reduce someone's options and safety strategies**.<sup>[6]</sup>

#### Intersectional Survivors

Intersectional survivors such as those with immigrant, LGBTQ, non-English speaking, street/justice-involved, and disabled identities may require additional resources or specialized safety planning. Those helping survivors safety plan must take the potential barriers of these identities into account when creating a plan.

This toolkit does not address all the complexities and challenges of intersectional identities. Further guidance may be found through the trainings offered by the Network's Centralized Training Institute and future materials.

# Sharing Information

## Before creating a safety plan:

Consider the risks associated if the other person were to find or access it (on paper, on their phone, etc.)

- Consider: *How likely is it that they could find or access it? What would happen if the person found it?*
- If there is a risk it could be found by the other person, find a trusted friend, coworker, family member, or another safe person who knows what's going on and would be willing to hold on to it at their house.

## Confidentiality

Someone being harmed has a right to confidentiality. If they chose to disclose to you, respect that right. Do not share information they tell you or details about the safety plan without their permission. Even if you think it will help, you may not know the entire situation and it could put them at an even greater risk of being harmed or death. Their safety should be your primary concern when safety planning.

- To help keep the information confidential, figure out:
  - What information is completely confidential?
  - What is a mandated reporter and who may be one?
  - What information is okay to share with law enforcement & under what circumstances?
  - Who else can you give information to? (what information & under what circumstances?)
  - Who should you NOT share details about the safety plan with?
    - This would include the person who is threatening or harm them
    - And mutual friends, family members, or anyone else who has a relationship with the person causing harm
  - If you do not believe you can maintain confidentiality or prioritize the survivor's safety, consider helping them identify someone else they trust or an advocate and provide assistance

## How to Provide Support: Dos & Don'ts[7]

How you respond to someone's disclosure of harm or violence can impact their willingness to continue seeking support.

### Do NOT ask "What did you do to make them hurt you?"

- Don't blame them for the harm they experienced
- It is not the responsibility of the hurt person to stop the violence
- This attitude can reinforce harmful and manipulative tactics that are often used in harmful relationships
  - Even if victim-blaming is not intentional, it can still be harmful for the person involved and prevent them from seeking help in the future

### INSTEAD:

- Acknowledge feelings
- Respond empathetically
- Validate their experience
- This can help them feel less isolated and more supported
  - Possible responses:
    - I believe you
    - It's not your fault
    - You have options
    - I'm sorry this happened/is happening

# How to Provide Support: Dos & Don'ts Continued

## **Do NOT tell someone that they have to leave in order to be safe**

- Not only does that not help, but it could actually put them in more severe danger.
- Leaving the relationship is one of the most dangerous times for someone in a harmful relationship. Almost Half of domestic-related homicides happen when the person tries to leave or end the relationship[8].
- Telling them to leave will only prevent them from getting the relevant support they need.

### **INSTEAD:**

- Listen to them without judgment
- Try to understand their circumstances, challenges, and priorities
- Call out their strengths and resilience
- Provide emotional support

## **Do NOT give advice or tell them what you would do/would have done**

- Do not decide things for them. Your role is to provide information, not advice.
- While you may think you know the right thing to do, every relationship is different. The person who has been harmed knows their situation better than anyone.
- Telling someone what to do about their own safety risks repeating patterns of the harmful relationship and could be even more dangerous[9].

### **INSTEAD:**

- Listen first
- Acknowledge that it may have been hard to tell you
- Being in a harmful relationship can be incredibly disempowering and may have lowered their confidence.

## **DO realize it is not about you**

- Sometimes people who try to provide support end up processing their own experiences or feelings. Of course, it's important to address these at some point and you can show solidarity by sharing similar experiences. But know when to do it. You won't be providing them help if you're taking up space with your own agenda[10].

## **DO know your own limits[11]**

- "You cannot be everything and anything at all times"[12]
- Acknowledge your emotional and logistical capacity
- You can't help someone else if you don't take care of yourself; engage in self-care when needed

## IV. Safety Planning

### What is Safety Planning?

**Safety planning** helps someone assess their current situation for risks, resources, options, and strengths. A safety plan determines actions and strategies for preparing and mobilizing their support options to increase safety and reduce harm. Actions could be about accessing traditional sources of help (like receiving social services or pursuing legal intervention), but they could also include more informal strategies for responding to harm (like community mapping or mutual aid).

**Safety planning is not** about giving people advice or instructions on how to stay safe. There is no universal strategy for staying safe, and what we think of as “safety” will look different to different people. The person you’re helping has already been using a variety of strategies to stay safe. Your goal is to help them see those strategies, name the risks, and help them figure out next steps.

**Safety planning does not guarantee safety.** There is no way to plan for or guarantee safety or security, especially in harmful or violent relationships. While it can be an empowering tool, it is important to be realistic and avoid creating a false promise of security.

Safety planning is an **ongoing process**. People’s circumstances and situations change over time, and it is important to continually check in, reassess new or changing risks, and help update the plan[13].

Safety plans are more relevant and more likely to be followed through with when they are based on the person’s perspective, strengths, priorities, values, identities, experiences, and positionality. These will determine what strategies, resources, and objectives are relevant and available to them for long-term and short-term actions[14].

#### (1) ASSESSING RISKS & HARMS

Identifying risks/harms, causes, effects, and their level of danger

#### (2) GOAL-SETTING

Defining safety, deciding on goals and priorities

#### (3) RESOURCES, OPTIONS, & STRATEGIES

Identifying current strengths/resources, mapping out support/services, considering options/strategies

#### (4) SAFETY ACTIONS

Determining, assessing, and preparing short-term/long-term safety actions

## (1) ASSESSING RISKS & HARMS

### Identifying risks/harms, causes, effects, and their level of danger[15]

Strategies for staying safe will vary depending on each person's assessment of their current situation and safety concerns. The scenarios, danger, harm or risks that need to be planned around should be thought of by the person needing safety. There are questions you can consider or ask to help them identify the risks or harms to address. These are only some suggestions to help prompt discussions.

#### **What is the risk or harm?**

- What are they worried about?
- What do they fear will happen? When?
- What do they think will happen?
- What has happened in the past?
  - How did they respond to it?
  - Why did they make those decisions?
- Is it happening right now?
- Is it in the future?

#### **What kind of harm is it? (examples) [16]**

- Physical harms:
  - Physical harm to one's body or life
  - Physical harm to others (children, family, friends, coworkers, etc.)
  - Physical harm to the person who is causing harm (threatening suicide)
  - Physical harm from a weapon/firearms
- Emotional/verbal harms:
  - Insults, humiliation, threats
- Financial/economic hardship harms:
  - Financial harm from loss of job
  - Destroyed property
- Institutional harms:
  - Risks from law enforcement
  - Risks from incarceration
  - Reported to immigration

#### **What is the level of danger? [17]**

- None – Low – Medium – High – Emergency

#### **What is causing the risk or harm?**

#### **What is targeted or affected by the risk or harm? (Indirectly or directly)**

#### **Are there any HIGH-RISK factors?**

Note: This is not intended to replace a formal risk or lethality assessment instrument[18].

# ASSESSING RISKS & HARMS Continued

## High Risk Factors

### Escalation (may be gradual or all of a sudden) [19]

Escalation is characterized by changes in the severity and frequency of harm one person is causing another. As a result, previous forms of harm can become more serious or severe. Escalation typically happens when the person causing harm feels like they're losing control over the relationship. Escalated harm could be intended as a warning if the other person decides to leave.

- **Has the violence been happening more often?**
- **Is the violence more severe or harmful?**
- **Has the type of violence changed?**
- **Are there guns or other weapons?**
- **Have they strangled or choked them in the past?**
- **Does the other person show extreme jealousy?**
- **Is the other person suicidal?**
- **Do they believe the other person is capable of killing them?**

### Firearms [20]

Firearms threats may be both direct and indirect such as *threats to use the gun against you, your children, family, friends, a pet, and threats to kill themselves*. Even if the gun is never directed at someone, strategically making it visible can communicate a threat. Threats that are not explicit can be just as dangerous.

There is an increased risk of homicide when the person causing harm owns, has access to, or intent to possess a gun; the person causing harm has threatened suicide or homicide; after separation or divorce; child custody conflicts; the person has violated a protection order; there has been a history of stalking[21].

- **Do they have a gun?**
  - *Is it legal or illegal?*
  - *Is it registered in the person's name? (if not, who owns it?)*
  - *Do they have more than one gun?*
  - *Is the person causing harm a member of law enforcement?*
  - *Do they have a FOID card?*
  - *Do they have access to guns? (may or may not own)*
  - *Do you know where the gun(s) are stored? If yes, where?*
- **Do you live with your partner? (i.e. "Are the guns in the home you reside in?)**
- **Do you know the type of gun (length, etc.)?**
- **What do they use it for?**
- **Have they threatened or ever pointed a gun at you, a family member or friend, or threatened you/someone else with a firearm?**
  - *If they have never used a gun against you, do you fear they might in the future?*
- **Have they ever pointed a gun at themselves or threatened suicide?**
- **Has law enforcement ever removed a firearm from them before?**
- **Do you own a gun?**
  - *Who can access it? (your partner, children)*
  - *Do you have a gun lock for these firearms?*

# ASSESSING RISKS & HARMS Continued

## Leaving the Relationship or Trying to Get Help

The person causing harm's perceived power may be undermined when someone tries to seek support, increase their independence, end the relationship, or change the dynamic. As they feel like their control over the relationship is threatened, they might increase their tactics; milder forms of violence can increase. The person causing harm may also threaten to harm themselves as well. Thus, separation can be extremely dangerous. The first year of leaving a relationship has been found to be the most dangerous time for someone who has experienced relationship violence, especially when a partner owns or has access to firearms. Leaving the relationship or threatening to leave is one of the most frequent contexts for homicide-suicides by firearms[22].

While there are risks associated with separation, no one should ever be forced to stay in a harmful relationship. While leaving can be related to lower chances of future violence, it should be presented as one of several options and not the only one.

- **Have you recently left or ended the relationship?**
- **Are you planning to leave or end the relationship?**
  - *Leaving can be extremely dangerous, especially if the other person has access to firearms [23]*
  - *What are some risks associated with leaving?*
    - *Does their culture/family have a negative view on leaving?*
- **What risks might increase as you take action to end harm? [24]**
  - *Whom could it endanger (you, them, children, etc.)*
- **How might they react to your leaving or getting help?**

## Pregnancy

Pregnancy is the second most dangerous time for someone in an abusive relationship. Pregnancies that are unwanted or unplanned pregnancies by the persons causing harm, in particular, have been associated with higher levels of abuse during pregnancy. The kind of harm tends to escalate from verbal/emotional to physical during pregnancy. Pregnancy may demand increased resources needed, exacerbating economic strains which can foster interpersonal harm.

- **Discuss risks associated with an unwanted or unplanned pregnancy**
- **Have they threatened to injure the fetus or force you to terminate the pregnancy?**
- **Have you experienced escalated or increased harm as a result of your pregnancy?**

## Strangulation

Strangulation includes the use of hands, arms, or other objects around the neck to limit oxygen and blood flow. This increases the risk of homicide by 750% as it can have long-term effects such as neurological damage, blood clots, and respiratory complications[26]. It is essential to advise a medical check-up if there has been an incident of strangulation

- **Have they ever tried to strangle, choke, or suffocate you? (with their hands, with objects?)**
- **Do you have any lingering symptoms such as headaches, dizziness, nausea, difficulty breathing etc?**

## ASSESSING RISKS & HARMS Continued

### Stalking [27]

Stalking Includes unwanted phone calls, emails, text messages, voice messages, social media interactions. Persons causing harm may also approach survivors or show unwanted (at their home, school, work). They usually engage in watching, following, or tracking survivors. They may also utilize scare tactics such as evidence of their presence.

- ***Do they send you unwanted phone calls, emails, text messages, voice messages, social media interactions?***
- ***Have they approached you or shown up somewhere unexpected and/or unwanted? (at home, work, school)***
- ***Have they followed, tracked, or watched you?***

### Sexual Assault

It is important to highlight sexual violence can occur in partnerships and marriages. A relationship, no matter the length, does not obviate the requirement of consent. However, do not pressure them to tell you. Talk about the risks, be open to discussing it, but do not prompt or necessitate a potentially undesired or retraumatizing disclosure.

- ***Discuss how sexual assault/violence can indicate a greater risk for violence or homicide***

### Other Weapons

- ***Have they ever used or threatened you with a gun or knife?***

## (2) GOAL-SETTING

### Defining safety, deciding on goals, and priorities

#### What does “safety” look like?

“Safety = no violence” may be the priority but making it the only ‘purpose’ of safety planning can reduce options and limit strategies that could help reduce harm in the meantime[28]. One way to account for this is to decide if things will be “safer”:

*Safety = no violence*

*Safer = less violence*

- “Safer” considers more options, resources, and strategies to reduce the amount of harm[29].
- “Safety” or “Feeling Safer” will also look different to different people. It will depend on each individual’s perspectives, identities, abilities, faith, tradition, values, or what resources that are available.

#### What do you want to happen? [30]

- *What do you want to happen?*
- *What do you not want to happen?*
- *What would make you feel safer?*
- *What would a safer for you?*

*Examples goals[31]:*

- *Tell at least one friend about what is happening*
- *Be able to leave or separate safely*
- *Be able to stay together*
- *Be able to coexist in the same community without close contact*
- *Want them to say away and stop all contact*

#### Prioritize the most important goals

- Are there one or two that are most important?

## (3) RESOURCES, OPTIONS, & STRATEGIES

Identifying current strengths/resources, mapping out support/services, and considering options/strategies

### a) RESOURCES

#### Current Strengths & Strategies

Identifying the strengths and resources currently available to them may seem obvious, but it can prompt people to think about what they are already doing to stay safe and build off of what they know. Discussing current strengths can also help them feel more empowered about their situation. Ultimately, the parameters of a safety plan will be influenced by the person's resources, strengths, priorities, perspectives, abilities, responsibilities, backgrounds, identities, faith, traditions, family structure, values, and culture.

#### Building on what they know

- What safety strategies are they already engaging in? Do they work?
- *What are you currently doing to stay safe?*
- *What have you done in the past that has worked?*

#### Building on people's values, experiences, and strengths

- What are their current sources of support?
- Consider: children, religious values/faith, spirituality, family, friends, neighbors (see *next section*)

#### What are their current available resources?

- Life experiences, skills, knowledge, training,
- Money, financial assets
- Employment, workplace support

#### Support People [32]

Most often, the police, hotlines, and seek service support are not the first point of contact for someone experiencing harm in their relationship. More often, 'first responders' are friends, family members, neighbors, coworkers, and other trusted individuals within their community[33]. Because of this, helping a person to identify their current social support options is an important step to increasing safety. "Mapping Allies" is a long-standing community-based approach to interpersonal violence that works to strengthen this social support. Mapping helps people to identify whom they can call on for support, determine how they can provide that support and what additional resources or actions may be needed to do so[34].

*The following section provides an overview of these practices. See the Resources section at the end of this toolkit for local organizations and service providers.*

"Support people" may not be obvious. The criteria for getting support is not necessarily the same criteria we use for close relationships. While friends and family members can be supportive, they may not be the best person for every situation. Sometimes the people closest to us are not the most resourced to help either[36]. Mapping helps locate more people to provide different kinds of support for different kinds of needs.

## a) RESOURCES CONTINUED

### Who would be your support people?

- Who do you usually go to for help or support?
- *How* do they help or support you? *What* do they help you with?
- *When* do they help? Are there certain times when they are *unable* or *unavailable* to help?
- Who would respond quickly if you were in an emergency?
- Who would actually pick up their phone in the middle of the night?
- Who listens to your experiences?

Groups, communities, and collectives (including churches or support groups) can also be support people. If this is the case, it may be helpful to designate one person out of that group to be the point of contact.

### Recruiting Neighbors

For people facing firearm threats, neighbors and the immediate surrounding community can be an important emergency response resource. “Recruiting” neighbors can be necessary especially if they don’t want the police to be called. Consider how comfortable you are and much information are you are willing or would have to disclose, and what risks recruiting your neighbors may create

- *How well do you know your neighbors?*
- *Are there neighbors or people who live nearby who you feel comfortable talking about your situation?*
- Decide on a word or signal (like turning on a specific light)
- Agree on what they will do if they see the signal or hear a disturbance
  - *Do you want them to call 911?*
  - *Do you want them to knock on the door?*

### How can they help? [37]

It’s rare that any one person can provide all the support someone needs in every situation. Different people can help with different needs at any given time. To avoid overwhelming someone, ask for small things from several different people. You may want to think about:

- Who can help?
- How can they help?
- When can they help?

## a) RESOURCES CONTINUED

### What will their roles be? [38]

Who can...

- Be an emergency person to call if you are in immediate danger or feel unsafe
- Be an emergency person to go to if you are in immediate danger or feel unsafe
- This could be 911, a neighbor, a friend, or some other person
- How will they contact this person? (call them, use a signal, phrase or code word?)
- When that person is contacted, what do you want them to do? (meet you somewhere, call the police, help you call the police, contact someone else, distract or disrupt the situation, come pick you up and take you somewhere)
- Make sure to notify that person so they can be prepared to respond in emergency
- Provide a place to stay (could be their home, workplace, church, or other location)
- Provide a place to store an emergency bag (*or anything else they don't want the other person to find*)
- Provide a ride or help with transportation
- Pick up or take care of children or dependents if needed
- Provide emotional, social support, or spiritual needs
- Provide urgent financial support
- Check-in regularly (*call, text, email, or stop by*)
- Disrupt potential conflicts or distract the person causing harm (*indirectly or directly*)
- Keep track of the safety plan
  - Help change or adapt the plan if things change
  - This could be a friend, family member, community member, or an advocate

### Who is NOT safe? [39]

- *Is there someone who should not know about the details of the safety plan?*
- *Is there someone who would tell the person causing harm about the details of the safety plan?*
- *Is there someone who might escalate the situation or make it worse?*
- *Decide if these people should be avoided, or if there are ways to get help without disclosing everything (see below).*

### Sharing information

There are a variety of reasons why someone may not be comfortable or safe sharing information about their situation or experience.

- Discrimination: In some cases, disclosing personal information could lead to more harm, **harassment, or discrimination** in the community. This is particularly the case for queer, trans, and gender-nonconforming, who are more likely to experience harassment or violence from the systems or people they are asking for help from.
- Retraumatizing: Disclosing is also incredibly difficult and can be retraumatizing.
- Shared social circles: They may also be cautious when sharing information about the safety plan to mutual friends, family members, or other people who have a relationship with the person causing harm. Cultural background may also impact family dynamics and perspectives on domestic violence. However, completely avoiding shared friends/family altogether risks isolating people from their community and important sources of support. Just because someone has a relationship with the person causing harm does not mean they cannot provide support.

***Ultimately, it is up to them to decide if the support they could receive by sharing information with this person outweigh the potential risks or concerns.***

## a) RESOURCES CONTINUED

### ***Sharing information Continued***

There may be ways to reduce the potential risks associated with telling them:

- *Can these people provide help without knowing all the information or about the entire situation?*
- *What is the minimum amount of information they would need to help in this way?*
- *Some examples of ways to help that would not require disclosures:*
  - *Someone to walk home with (to their care, the train, etc.)*
  - *Someone to carpool with or get a ride from*
  - *Someone to pick up children or dependents last minute*
  - *Someone to take care of children or dependents last minute*

If there are no safe people to reach out to or the risk of reaching out to them is too high, they can also seek support in the community or by accessing formal anti-violence support services and resources (detailed below).

This may be especially the case for people in rural areas, where the lack of proximity to one's neighbors creates additional risks for creating a social network[40].

### **Community Support**

- Church, religious or faith-based groups
- Community organizations, community centers, or program
- Support groups
- AA/NA
- Clubs, social groups
- After school groups or programs
- Soup kitchens, food banks
- Re-entry programs
- Immigrant/refugee support programs/organizations
- Parenting support, children's groups
- Street outreach workers

### **Healthcare Professionals**

- Health care providers you trust and could talk through options with
- Community clinics
- School-based clinics

### **Gender-Based Violence Advocates**

Anti-violence or domestic violence advocacy organizations can provide assistance in a variety of ways. This could include providing information, legal or court support and accompaniment, help with safety planning, counseling or emotional support, or help to connect to other resources or support within the area.

## b) OPTIONS & SAFETY STRATEGIES

The identified resources, strengths, and prioritized goals should help determine the right options and strategies available to them. Prompts provide possible scenarios in which harms and risks might arise. These are only suggestions for options and strategies. If these scenarios or suggestions are not relevant, refer back to the harms/risks discussed in the first section to come up with more relevant, individualized scenarios.

### Options in an Emergency

*Find public spaces & 24-hour businesses near your home, workplace, any area where you typically spend time. If possible, look for areas with people.*

- **Your rights in public accommodations** [40, 41]
  - *Illinois prohibits discrimination based on sexual orientation and gender identity/expression in public accommodations*
  - *This includes restaurants, gas stations, libraries, hospitals, retail stores, theaters, etc.*
  - *You have the right to be free from harassment*
  - *If the business is covered by public accommodations law, their bathroom facilities should be open to the public*
- **You are in an emergency, and you don't have access to a phone**
  - *Look for places where you might be able to borrow one (church, library, friend's house, community center, etc.)*
  - *Contact and stay with your designated emergency support person*
  - *Contact the hotline to find an emergency shelter, call a shelter directly, or 911 (see 'Calling the Police' section)*
  - *Prior safety strategies: memorize or safely write down the phone number of the support person you plan to call in an emergency*

### Emergency Contacts: *Who would you want to contact?*

This could be 911, a neighbor, a friend, a neighbor, or some other person. Make sure to notify that person so they can be prepared to respond in an emergency.

- *How will you contact this person? (call them, use a signal, phrase or code word?)*
- *When that person is contacted, what do you want them to do? (meet you somewhere, call the police, help you call the police, contact someone else, distract or disrupt the situation, come pick you up and take you somewhere)*

### Emergency Shelters

Most shelters are available 24/7. A typical stay is 90-120 days.

- To find a shelter & the latest updates on bed availability and referrals to shelters:
  - Call the Illinois DV Helpline (1-877-863-6338)
- Your rights in shelters [43]
  - If the agency accepts VAWA funding, it cannot discriminate against people based on race, gender identity or expression, sexual orientation, national origin, religion, or disability.
  - Homeless shelters cannot refuse to admit someone because of their gender identity or expression
  - Shelters must respect gender identity or expression, cannot ask someone to dress their birth gender, and transgender women cannot be refused into a women's shelter with availability

## b) OPTIONS & SAFETY STRATEGIES CONTINUED

### Safety at Home

- **Sharing a home with someone causing harm**
  - If they are sharing a home with a person causing harm, plan around potential arguments
  - Identify “safe areas” in the home. If an argument is about to happen, go to these areas and avoid rooms where dangerous objects (such as firearms) are stored.
- **Emergency signals and recruiting neighbors**
  - *Utilize the signal and plan of action created with your support person and identified neighbors.*
- **Preparing to get out quickly**
  - Do you have an escape plan? *Do you have a backup escape plan?*
  - Identify quick exits at home, at work, school, etc.
  - It may be helpful to practice different ways of leaving the space quickly (*as long as you can rehearse it safely*)
  - Create a go-bag: put a bag together with some essential things you may need in case you need to leave quickly. Some suggestions, if possible:
    - Important documents: driver’s license/state ID card, car registration, health insurance cards/information, immigration documents, copy of protective order, etc.
    - Cash, credit cards, checks
    - Keys to car, house, work
    - List of phone numbers for people to call for support (in case you do not have access to your phone)
    - Extra set of house keys, car keys
    - Extra clothes
    - Medication, prescriptions
    - Cell phone charger
    - Any assistive devices
    - Written down numbers/addresses

- **Housing Rights**

There are several housing rights for survivors of domestic violence. These rights only apply to some situations. For assistance with housing rights, they may want to consider contacting an advocacy or legal aid support service (*see Resource list in the back*). These rights could include:

- Changing locks
- Early lease termination
- Barring someone from the property
- Confidentiality and nondisclosure from landlords
- Defense/protection from eviction
- Applicability may depend on the type of housing

## b) OPTIONS & SAFETY STRATEGIES CONTINUED

### • Housing Options

There are several shelter and housing options available for people who have experienced interpersonal harm:

- **Immediate housing**
  - 24-hour business or other facility
  - Public spaces with people around
  - Stay with a 'safe person' (friend, family member, etc.)
  - Emergency shelter (typically shelter up to 120 days)
- **Longer-term housing**
  - Rapid Rehousing
  - Permanent supportive housing
- **Shorter-term housing**
  - Emergency shelter
  - Transitional Housing
  - Rapid Rehousing

### Firearm Safety

#### • Where They are Stored

- If they know where firearms and ammunition are being stored:
  - *If an argument is about to happen, avoid the location where firearms are being stored*
  - *Plan around how accessible it is*
- If they do not know where the gun is stored:
  - *If they can find out safely*
- Safely familiarize themselves with the types of firearm(s) the other person has
  - This includes range, aim, the time between shots, number of rounds it holds, the severity of harm
  - How many bullets do they hold, learning what caliber the ammunition
  - If it can be easily concealed or hidden
- Figure out how they use it
  - Identify if there are specific times when they bring it out, how frequently they bring it out or use it

### Shared Common Place Safety

#### Sharing common spaces with someone who caused harm

- Make a list of places where they might encounter the person who is harming them
- *Can these places be avoided by going somewhere else? (like going to a different grocery store)*
- Are there places that can't be avoided? *Can they go at different times or off-hours?*
  - Make safety/emergency plans in case the person seeks you out at these sites
- **Oftentimes, the areas that are shared are also important sources of community and social support (support that is especially helpful for someone who has been harmed)**
  - For instance, LGBTQ, TGNC community centers, support groups, service organizations, health clinics, and social circles may be unsafe if the person who caused harm frequents these settings (or knows that you do) [45]
- **Instead of automatically dismissing them altogether, consider:**
  - *What are the benefits of going v. the risk of potential conflict?*
  - *What are ways to reduce the risk of harm?*
  - If they feel comfortable/safe talking to someone who works there to problem-solve

## b) OPTIONS & SAFETY STRATEGIES CONTINUED

### Child Safety

#### Children should have their own safety plan

- Think of a code word to use that will signal to call for help or going somewhere.
  - Do they know who to call if [insert incident] happens?
- Help locate areas of safety
  - Do they know where to hide if situations become violent?
- Do they know who is safe to tell things to and who is not?

### Work Safety

#### • Finding a Support Person at Work

- Is there someone at work they would feel safe notifying? (boss, building security, co-workers)
- Are you comfortable disclosing your situation to them?
- If they do not feel comfortable or safe telling someone at work about their situation, think of strategies that don't require disclosures:
  - Can these people provide help without knowing all the information or about the entire situation?
  - What is the minimum amount of information they would need to help in this way?
  - Some examples of ways to help that would not require disclosures:
    - Someone to walk home with (to their care, the train, etc.)
    - Someone to carpool with or get a ride from
    - Someone to pick up children or dependents last minute
- Vary your routes to get to and from work
  - What other ways could you get to work?

#### • Employment Rights

- Illinois Victims' Economic Security and Safety Act (VESSA) provides some employment protections for individuals or household members experiencing domestic violence. This includes[46]:
  - Rights to unpaid leave
    - Only applies for some activities (recover from injuries, seeking medical attention, seeking support services)
    - The amount of time varies according to number of employees
    - Notification and documentation are needed
  - Reasonable accommodations
    - May include a modified schedule, changing a telephone number or seating assignment, reassignment or a transfer, and more
  - Free from retaliation
    - Cannot be fired, harassed, or refused to be hired, denied benefits, or retaliated against for reasons related to experiencing abuse

## b) OPTIONS & SAFETY STRATEGIES CONTINUED

### School Safety

- Vary how you get to each class
- **Finding Support People for School**
  - *Outside of school: Who is someone you can call if you need to leave school immediately? Who can pick you up or meet you?*
  - Is there a friend and/or school personnel you feel comfortable talking to?
    - If you do not feel comfortable or safe telling someone at school about the situation, think of strategies that don't require disclosures:
  - *What is the minimum amount of information they would need to help in this way?*
  - Some examples of ways to help that would not require disclosures:
  - *Is there at least one person who can walk with you to each class?*
  - *Avoid being alone in between classes*
    - *Find someone whom you could get a ride home from or carpool in case of emergency*
  - **Privacy and staff personnel: who are "mandated reporters"?**
    - Depending on the information you give, school personnel may not be able to keep it confidential
    - Teachers, coaches, social workers, counselors, nurses, or other school staff may be required to report incidents of abuse or neglect to the school, child protective services, a government agency, or law enforcement, according to school policy or state law[47]
    - Before talking to someone at school, they may want to check if they are mandated reporters and consider if there are possible risks or consequences if they do report it.
- **Education Rights**
  - Under Title IX, any school (K-12, colleges & universities) receiving federal funding must respond to intimate partner violence, sexual violence, or stalking that takes place on campus, in-school programs, or by someone affiliated with the school[48]
  - School accommodations can vary but under Title IX, the following accommodations should be available (*and do not require a formal school investigation*):
    - Changing class schedules, assignments, or exams
    - Accessing academic tutoring, medical and counseling support services
    - Increased security at some locations
  - **Title IX Coordinators:** Every school must have a designated employee who can provide information about available support services and resources, as well as assistance with notifying law enforcement (not required)
  - **Formal school investigations**
    - Accommodations should be offered whether or not someone chooses to participate in a formal school investigation
    - In some cases, however, an investigation can proceed despite the person's wishes. They may want to consider if the accommodations or assistance from reporting outweigh the potential risks of a formal school investigation

## b) OPTIONS & SAFETY STRATEGIES CONTINUED

### Technology Safety

Cell phones, computers, email, and other technology can be used to monitor the other person's location and behavior. Technology is often used to start, continue, or escalate harm. This could include cyber-stalking, monitoring, harassing, impersonating, humiliating, or threatening the other person. Similar to mapping social support, mapping technology use can be an important way to mitigate risk and increase safety. Every person will have different safety concerns; these are just some 'suggestions' around technology[49].

- **What technology currently manages their information and activities? For each one, think about what information they could be accessed through them[50]:**
  - **Internet:** banking, automatic payments like utilities
    - *Always consider that a computer might be monitored*
    - *Even when using private/incognito mode, your history will never be completely erased from a computer/device*
  - **Email:** personal and work-related accounts
    - *If it is safe, set up new accounts, change the password*
    - *Log out of old accounts on all devices*
  - **Cell phone:** rideshare apps, music apps, fitness apps, smartphone/voice devices, banking apps, etc.
    - *Cell phones can easily track someone else's location, habits, and activities*
    - *People can also retrieve call and text histories*
    - *Consider buying a pay-as-you-go phone for private calls*
  - **Social media:** any/all social media apps, dating apps, and messaging apps
    - *Be cautious of personal information posted; most accounts details include phone numbers, addresses, and other personal details*
    - *Set strict privacy settings*
    - *Ask friends and family to not tag them in photos, check-ins, etc.*
  - **Other tips**
    - *GPS tracking can be placed in or under cars or cell phones and purses to monitor their activities*
    - *Change passwords so that they are not easy to guess (like a birthdate) and not automatically saved on the device*
    - *Switch off or remove apps with location settings on all apps and devices*
    - *List possible shared accounts, devices, or any accounts where the other person knows or can easily guess their password*

See the *Safely Document Abuse* section for more information on safely maintaining potential evidence

## (4) SAFETY ACTIONS

### Determining, assessing, and preparing safety actions [51]

Every relationship is different, so actions to reduce harm and increase safety will look different for every person. It's up to them to decide what will work best. These are a few suggestions on how to determine short-term and long-term actions, assess them in terms of risks/harm, and identify what resources or additional support is needed to execute them.

#### **Depending on each person's situation, it may not be safe to write down the safety plan on paper, their phone, computer, etc.**

Could the person causing harm access or find it?

What would happen if they found it?

If there is a risk it could be found by the other person, find a trusted friend, coworker, family member, or other safe person who knows what's going on and would be willing to hold on to it at their house.

### Deciding on a Safety Action

**"SAFETY ACTIONS"** = a combination of strategies & options based on available and mobilized resources & strengths

- Safety actions work to reduce risk or harm that was identified in the risk assessment
- *"Based on my available resources & strengths, I can use this option and/or do this strategy to reduce this risk/harm"*
- Actions can be immediate or long-term depending on the level of danger, the risk/harm, and what resources would be needed.

### Assessing a Safety Action [52]

- Will this action... increase safety? or decrease safety?
- Is there... more harm? or less harm?
- Ask this for every person that could be affected

#### **Example Action: Purchasing a gun for self-defense**

...could increase my sense of safety

...would decrease everyone else's safety in the house (the presence of a gun in the home can increase the risk of homicide by 500%)

...could be more harmful to the other person's safety (if used against them as self-defense)

### What are the indirect or unintended consequences?

- Risks can increase as you take action to end harm[53]
- Could this action endanger someone else?
- How will the other person react? Will they retaliate?

#### **Example Action: Purchasing a gun for self-defense**

Unintentional: It could be used against me

Another person could find it (children, the person causing harm)

Potential legal repercussions (firearms can be used against them in court)

## (4) SAFETY ACTIONS CONTINUED

**What are the indirect or unintended consequences?**

**If you decide it is still worth pursuing**

- Identify all the unintended consequences from the action:
  - How could the harm be minimized?
  - How can you plan around unintended consequences?
  - Can you come up with a backup plan?

**What is needed?**

- What resources are needed for these actions?
- Do people included in the plan need to be notified?

**Is it easier to break down into short-term and long-term actions**

- **Short-term** = minimal to no preparation needed or immediate response
- **Longer-term** = requires more resources, or actions, or other developments

**Revise & Revise** actions when circumstances change

**Example Action: If they do purchase or own a gun, there are some precautions to reduce the risk for harm**

- Safe storage, invest in a gun safe if possible
- Trigger locks
- Learn the mechanics of the gun

## (4) SAFETY ACTIONS CONTINUED

### Calling the Police

#### Things to Consider Before Calling 911

Calling 911 may not be the best response for everyone at all times. Safety planning includes assessing risks in seeking help including law enforcement intervention. It is important to discuss the potential risks and impact of calling 911 in an emergency. For many queer and TGNC people of color, reporting incidents of violence means risking experiencing violence at the hands of police[54]. People with undocumented status may also not be safe or comfortable calling the police[55]. If the person causing harm is an officer, they may have working relationships with dispatchers and responding officers who will accept their version of the incident. People in more rural areas may also be less likely to call the police[56]. It is more common to know the officers or their families, making them less willing to contact the police. Rural local police may have fewer officers available spread out over a larger area, leading to prolonged response times[57]. For others, the act of seeking help by calling the police can lead to later retaliatory harm from the other person. Discussing 911 as the only emergency response can prevent a more realistic and helpful solution from being considered. If they are not comfortable calling the police, you can help by strategizing more specific, individualized responses for specific emergency scenarios. Help them identify safe people, areas, and individualized solutions based on their resources/barriers. At the same time, be realistic about capacity when the risk of danger is high.

- **Calling 911 is not all or nothing.**

- Consider individual conditions for calling the police:
  - *When are you not comfortable calling 911?*
  - *What can you do instead?*
- If the benefits of calling the police outweigh the risks, there are some steps that could help mitigate potential harm[58].

- **Language Access & 911** [59]

Some people may not feel comfortable talking to the police, especially if English is not their first language. How information is translated to the first responders can put callers in compromising positions if they were misinterpreted.

- **You have a right to an interpreter when calling 911**

- When they call 911, they will be asked *“what’s your emergency?”*
- The operator will put them on hold while they connect them to someone from a language interpretation service. This may cause a delay in response.
- You can request to be assisted with translations when first responders arrive

- **How to support someone calling 911**

**Provide support ahead of time by helping them plan what to say over the phone or once the police arrive**

- *Decide what information you would need to convey over the phone?*
  - *Request for a translator*
  - *The location of the emergency (can include landmarks, cross streets, buildings)*
  - *If firearms are present*

## (4) SAFETY ACTIONS CONTINUED

### Calling the Police Continued

- During the call: if you are providing support for someone when they are actually making the call, discuss ways of protecting confidentiality with the person when law enforcement arrives[60].
- **How to support someone who does not speak English and may call 911**
  - Having someone with them who can speak English to translate when they call 911 can help sidestep lengthy translation services
  - If you are able, translate one or two sentences they might need to say when calling 911, you can ease some stress and provide essential information more quickly to reduce the risk of being misinterpreted or delayed
- **Your rights when interacting with police**[61]
  - If the police are at your door
    - If police knock on your door, talk to them through the door
    - **You do not have to admit them unless they show you a signed warrant.**
    - Even if they are admitted with a warrant, you have the right to remain silent
    - In an emergency situation, officers are allowed to enter and search your home without a warrant
  - Consenting to a search
    - You do not have to consent to any search of yourself, your house, or your car
    - *It is unlawful for police to arrest you for refusing to consent to a search*
    - If you are arrested, ask for a lawyer immediately. You have the right to remain silent. Only tell the police your name and address. Do not make any statements about the incident.
    - If you are being harassed by the police, record the conversation or call someone to listen to the conversation as a witness[62].
    - You have a right to document police activities.
      - If your rights have been violated[63]: Write down everything you remember (officers' badge, patrol car numbers, any other details); Try to get contact information for witnesses

## IV. Legal Actions

There are several ways a person can be ordered to surrender their firearms and FOID card in Illinois. However, a civil order will not be helpful for everyone and could even put someone in greater risk of harm. You can provide support by helping them brainstorm the potential consequences, think through possible solutions to mitigate risks, and come up with alternative solutions through safety planning.

### Legal Terms

What's the difference between civil and criminal?

**CRIMINAL:** The state presses charges against someone for breaking the law

Possible outcomes: an arrest, trial, conviction, incarceration and/or fines

Criminal Orders of Protection:

- May be obtained during a pending criminal case

**CIVIL:** Disputes between individuals or organizations

Possible outcomes: compensation, property disposition, contracts, etc.

Civil Orders of Protection:

- Does not require pressing criminal charges
- Not assigned an attorney
- Can be vacated or canceled at any time (at petitioner's request)

"Petitioner" = the person asking for a civil order

"Respondent" = the person they're getting an order against

### Legal Assistance & Advocacy

There are several sources of legal support and advocacy available in Illinois to help with requesting the removal of firearms

- Court Advocates: assist with filing petitions, accompany clients to court cases, and provide information, support, and referrals throughout the process
- Legal Aids: provide legal assistance and representation

# ASSESS RISKS

To help decide what is best for them, they want to consider the following:

- Does this person have access to other guns?
- How is the other person likely to react?
- What is the likelihood that they will follow through and comply by surrendering their firearms?
- Does the person need/use a gun for work?
  - If this is the case, a court advocate or legal aid may be able to provide more guidance on protocol when a person possesses a work-related firearm
  - For safety considerations when the person causing harm is an officer: [Abuse of Power: Safety Planning](#)
- Would removing this person's gun make you safer?
- Would it be more harmful if their gun were removed[64]?
- Does the potential benefit outweigh the potential risk of pursuing an order to remove the firearms?

## IF YES....

- If an order to surrender or remove firearms is pursued, what are some strategies that will enhance safety while the firearms are being removed, surrendered, or prohibited?
- A civil order is only a piece of paper and cannot guarantee long-term safety or immediate protection. It is up to the person being harmed to decide if pursuing a civil order would make them safer.

## Civil Orders to Remove Firearms

There are currently 2 civil orders that can prohibit possession of firearms related to domestic violence in Illinois:

### (1) Order of Protection (OP)

- Provides more remedies (not just firearms)
- Ordering firearm removals can be obtained through Interim and Plenary Orders.
- The Illinois Domestic Violence Act is ambiguous as to whether judges can order firearm removal in an Emergency Order of Protection.

### (2) Firearms Restraining Order (FRO)

- Only remedies for firearm removals
- Can be ordered to remove firearms immediately (seizure order can be issued without notice to the respondent)
- If there is a firearm in the home but the situation does not rise to the level of an OP, a FRO may be helpful

# Civil Orders Continued

## Orders of Protection

An Order of Protection (OP) is a civil court order signed by a judge designed to protect one person from another. Several remedies are available under an OP.

- Filing an OP is **free**
- You do **not** need a lawyer to file an OP, but legal support is available at Legal Aids
- You do **not** need a police report to get an OP
- You do **not** have to pursue criminal charges to get an OP. However, if an OP is granted and the respondent violates it, the petitioner has the right to make a police report and seek criminal charges (see *How to safely document incidents*)

### Who can petition for an Order of Protection?

- Spouses/partners (current or former)
- Dating or engagement relationship (current or former)
- People with children in common (regardless of if they have been married)
- Anyone related by blood, present or past marriage (parents, children, stepchildren)
- People who share a common dwelling (currently or formerly)
- Personal assistants or caregivers for people with disabilities

### An OP can:

- Prohibit continued abuse, harassment, threats, intimidation, exploitation
- Order the person to stay away from the petitioner or protected persons
- Order the person out of a shared home
- Order the person out of a shared home when they are using drugs/alcohol
- Give the petitioner temporary custody, or prohibit the respondent from taking or hiding children
- Order the person to turn in any firearms and refrain from owning or purchasing firearms

### Ways to obtain an Order of Protection:

- Fill out a verified petition form and bring it to the Circuit Court
- Contact a domestic violence agency for assistance (a full list of DV advocacy organizations can be found at the end of this toolkit)
- Ask an attorney to file in civil court
- Request an order with your divorce/parentage/child support
- You can also obtain a criminal OP through a pending criminal case

### How long do OPs last?

- Emergency OPs: **14-21 days**
  - *If the court decides there is an immediate threat*
  - *Covers the time before the respondent is served*
- Interim OPs: **up to 30 days**
  - *Covers the time between service and a final hearing*
  - *Firearms Removal Available*
- Plenary OPs: **no more than 2 years past any sentence or mandatory supervised release (parole)**
  - *Firearms Removal Available*

Duration of firearm removal: law enforcement will keep the removed firearms and FOID card for the duration of the order and return them if/when the respondent can lawfully possess them again. Respondents are prohibited from possessing a FOID card and firearms for five years after an order of protection unless it was vacated[65].

# Civil Orders Continued

## Removing Firearms and FOID Cards Through an OP

Firearm possession is prohibited through an OP but is not available under an EOP as respondents must receive actual notice and have the opportunity to participate in a hearing [66].

- In general, purchasing and possessing firearms are prohibited if someone is subject to an existing OP.
  - Unless there is a conviction for a felony or another prohibiting offense, the prohibition ends when the OP ends
- If the court decides firearms/FOID card should be removed:\*
    - After the respondent gets a notice, they must surrender their FOID card and all firearms to law enforcement, and provide an accounting of the location of firearms the cardholder has transferred to other locations/individuals
    - They have 48 hours to do this and failure to comply is a misdemeanor
    - If the cardholder does not comply, their FOID card will remain invalid but a private seller may not verify a buyer's FOID and transfer a firearm to the prohibited individual (which would not be a crime)
    - If they are notified but do not comply, law enforcement can petition the court to issue a warrant to search for and seize the firearms and FOID card[67]

\*Flaws in the system often hinder the removal process and can result in slow revocation of FOID cards and firearm surrender

## Firearm Restraining Order (FRO)

The FRO is a civil order that temporarily removes guns and a FOID card from individuals posing a significant risk of harm to themselves or others. If a FRO is granted, police immediately notify the respondent and can remove their guns and suspend their license to carry or purchase firearms. Filing a FRO is also free.

### How long can FROs last?

- Emergency FRO: **up to 2 weeks**
  - Respondent poses an immediate threat to themselves or others
  - Can be granted without notice to the respondent
  - May include an issued search warrant directing a law enforcement agency to seize the respondent's firearms
  - After the Emergency FRO, there will be a hearing to determine if a 6-month order should be issued (both the respondent and petitioner have the opportunity to make their case)
- Six-Month FRO: **6 months**
  - Respondent poses a significant danger of causing injury to self or others
  - Issued after a full hearing
  - Can be renewed

# Civil Orders Continued

## Who can petition for a FRO?

- Spouses/partners
- Anyone related by blood or marriage (parents, children, stepchildren, etc.)
- People living together (currently or formerly)
- Law enforcement\*
- *If someone wants to pursue a FRO but does not qualify as one of these relationships, they can refer to law enforcement to petition for it*
- *Neighbor, co-worker, friend, etc.*
- *\*In some jurisdictions, FROs are only granted to law enforcement*

## What information is need to seek an FRO?

- The county where the respondent lives
- An address where the respondent can be found and served
- The respondent's date of birth
- Information about the quantity, types, and locations of any firearms the respondent owns
- A description of incident(s) in which the respondent posed an immediate/present danger by having a firearm

## Removing Firearms and FOID Cards Through a FRO:

- Fill out a verified petition form and bring it to the Circuit Court in the county where the respondent lives
- The judge will decide if the respondent poses an immediate threat (and may issue an Emergency FRO); other factors they consider:
- Unlawful, reckless use or display of a firearm
- History of using, attempting or threatening to use physical force against another person
- Prior arrest for a felony
- Violated an Order of Protection
- A pattern of violent acts or threats
- A recent threat of violence directed at themselves or another person

## Warrant for Firearms and FOID Card Removal

A judge issuing the order of protection or firearm restraining order may only ask if the respondent has turned over their FOID card and firearms. In order to ensure their removal, a petitioner may obtain a warrant separate from their OP or FRO.

To obtain a warrant a survivor needs to know:

- Quantity
- Type
- Number
- Locations

## Criminal Charges

Criminal charges can result in a person's arrest, conviction, and sentencing to jail time and/or fines. The State's Attorney's Office decides whether or not someone can be prosecuted based on what evidence is available. While the State Attorney's Office may proceed with charges without the victim, the victim's decision to participate largely influences the case. If there is insufficient evidence, the State Attorney's Office is unable to pursue an evidence-based route and requires the involvement of the victim. Often cases can be dismissed at the victim's request with some exceptions such as severe incidents, incidents with witnesses/in a public place, cases involving child victims, and defendants with a lengthy record of domestic violence and/or violent crimes.

- **To initiate a criminal case, you must:**

- File a police report
- Contact law enforcement or go to the local courthouse, the State's Attorney Office, or seek help from a legal aid or domestic violence advocate

- **Criminal charges may not be the right or available option for everyone, but legal remedies are not all or nothing. For someone who does not want the other person to be arrested or convicted:\***

- They can still get an Order of Protection without pursuing criminal charges
- They can still make a police report without pursuing criminal charges

\* If the police are called to the house and they see visible marks on the survivor, they can make a decision to arrest the abuser even though the victim does not want to proceed with charges.

## Firearms & Criminal Charges

- If someone is convicted of a felony, they cannot legally own a gun.
- If the person has been convicted within the past 5 years for *"battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction"*[68]

Under Federal Law, a person convicted of a "misdemeanor crime of domestic violence" is prohibited from purchasing or possessing firearms and ammunition, and must physically surrender their FOID card and any firearms [69/70]

# Criminal Charges Continued

## How to Safely Document Incidents

If a case is pending, they may update the State's Attorney with any new evidence or incidents. It is important to note that evidence provided to the State's Attorney may be required to be shared with the defense. If the survivor does not want this information to be widely shared they are cautioned to consider this before sending that evidence to the State's Attorney. Even if they decide not to pursue criminal charges right now, it may be helpful to document harmful incidents for future options or to show if the person is violating a civil order.

- Evidence may include:[71]
  - Medical report of injuries
  - Pictures of injuries (dated)
  - Police reports
  - Picture of damaged household objects
  - Pictures of weapons that were used
  - A personal diary documenting when incidents happened
- **There are several tips for safely documenting evidence**
  - Make sure documentation of incidents is stored in a safe place that the other person is unlikely or unable to find
    - Create a separate email or online storage account (password-protected) for the purpose of documenting incidents
    - Find a trusted friend, coworker, or family member who knows about the situation and could help document incidents or keep a journal for them
    - Any photos or screenshots taken from their phone: send/email them to a trusted friend and then delete them from the device
  - *In a safe place...*
    - Write down the date, time, and a description of any incident
    - Take pictures of any injuries
    - Take screenshots of text messages, missed calls, emails, or social media posts (be sure they include the name of the sender, recipient, time/date)
    - If they keep calling, let it go to voicemail, save the call log and record any voicemails (include the time/date)

Safety planning aims to help people increase their safety and reduce the risk of harm or death[72]. Safety planning can be an effective and empowering tool to help someone clarify their situation and better understand the resources and options that may be available to them. Ultimately, however, nothing can guarantee safety. When helping someone to safety plan, it is important to be realistic and avoid creating a false sense of security.

# V. Resource List

## Local Service Providers

### 24-HOUR DOMESTIC VIOLENCE HOTLINE

Illinois Domestic Violence Helpline: 1-877-863-6338

24/7, confidential

Call, text, or chat

*Provides immediate information about options, crisis support, safety planning, and referrals to Illinois-specific shelters, legal advocacy, counseling, and other support services*

### DOMESTIC VIOLENCE ADVOCACY SERVICES

#### A New Direction

*Provides counseling, support, advocacy and education to families affected by domestic violence.*

<http://www.anewdirectionbmp.org/>

#### Between Friends

*Provides counseling, court advocacy, and additional service referrals.*

<https://www.betweenfriendschicago.org/>

#### Family Rescue

*Provides crisis intervention, counseling, legal advocacy, children's services, and shelter services.*

<http://www.familyrescueinc.org/>

#### Metropolitan Family Services

*Provides counseling, court & legal advocacy, and supervised visitation/safe exchange services.*

<https://www.metrofamily.org/>

#### Neapolitan Lighthouse

*Provides emergency shelter and comprehensive support services for survivors of abuse and their children.*

<http://neapolitanlighthouse.org/>

#### Sarah's Inn

*Provides individual and group counseling; advocacy; legal advocacy; partner abuse intervention services.*

<http://sarhsinn.org/>

#### Wings

*Provides counseling and safe housing services.*

<http://www.wingprogram.com/>

#### YWCA Evanston/North Shore

*Provides individual and group counseling, legal advocacy, affordable housing support, financial education, workforce training and employment assistance, and partner abuse intervention services.*

<https://www.ywca-ens.org/>

### LEGAL SERVICES

#### Ascend Justice

*Provides economic, family law, family defense, immigration, and order of protection legal services for gender-based violence survivors.*

<https://www.ascendjustice.org/mission-services/>

#### Legal Aid Chicago

*Provides family law, family defense, and order of protection legal assistance for gender-based violence survivors.*

<https://www.legalaidchicago.org/get-help/how-can-we-help/>

#### Lifespan

*Provides counseling & legal representation in order of protection, immigration, and family law cases (including divorce, parenting and child support cases) for gender-based violence survivors.*

<https://life-span.org/>

### COMMUNITY ANTI-VIOLENCE/STREET OUTREACH

To find which **Community Partnering 4 Peace (CP4P)** agency serves your community, visit

<https://www.metrofamily.org/cp4p/>

# Local Service Providers Continued

## CULTURALLY-SPECIFIC SERVICES

### **Apna Ghar** (20+ Languages)

*Provides crisis support, shelter/transitional housing, counseling, advocacy, and supervised visitation & safe exchange services.*

<http://www.apnaghar.org/>

### **Arab American Family Services** (Arabic & Dialects)

*Provides crisis intervention, counseling, advocacy, and translation/interpretation services.*

<http://arabamericanfamilyservices.org/#>

### **Casa Central** (English & Spanish)

*Provides services to children, adults, seniors, and families who have been impacted by domestic violence, sexual abuse, community violence, and other traumas.*

### **KAN-WIN** (Korean & English)

*Provides transitional housing, legal advocacy, case management, and children's services.*

<https://www.kan-win.org/>

### **Mujeres Latinas en Accion** (Spanish & English)

*Provides crisis intervention, individual and group counseling, adult and child therapy, and court advocacy.*

<http://www.mujereslatinasenaccion.org/>

### **Shalva** (Jewish Community)

*Provides domestic violence information; safety planning; individual and group counseling; financial assistance; legal support; case management and referrals.*

<https://www.shalvacares.org/>

## CHILDREN'S SERVICES

### **Chicago Child Advocacy Center (CAC)**

*Provides coordinated services for child survivors of sexual abuse, physical abuse, and maltreatment.*

<https://www.chicagocac.org/>

### **Connections for Abused Women and their Children (CAWC)**

*Provides individual and group counseling and legal advocacy to survivors and children.*

<http://cawc.org/>

## SEXUAL ASSAULT SERVICES

### **Chicago Alliance Against Sexual Exploitation (CAASE)**

*Provides legal services, community engagement, and advocacy for survivors of sexual assault.*

<https://www.caase.org/>

### **Resilience**

*Provides crisis intervention, medical & legal Advocacy and therapy for survivors of sexual violence.*

<https://www.ourresilience.org/>

### **YWCA Metropolitan Chicago**

888-293-2080

*Operates 24 hours a day, 7 days a week, the Rape Crisis Hotline and provides survivors of sexual violence and their significant others immediate support, crisis intervention and referrals for the city of Chicago and surrounding suburbs.*

<https://ywcachicago.org/>

# Firearm Safety Planning Worksheet

The **SAFE Tool** assists survivors when creating a comprehensive personalized plan to improve their safety and the safety of their child(ren) by allowing them to incorporate their strategies around firearms. It includes seven sections, a guide to identification of firearm types, and a firearm inventory worksheet.

## **Section A: Ownership, Possession, or Access to Firearms**

This section will assist in identifying pertinent information on the partner's ownership, possession, or access to firearms.

## **Section B: Use or Threaten Use of Firearm(s)**

This section will assist with identifying incidents in which the partner used or threatened to use a firearm against the survivor or a family member. This information may be helpful in articulating to the judge why the survivor would like the firearm removed from your intimate partner's possession.

## **Section C: Identification of Prohibitions on Use, Possession, or Ownership of Firearm(s)**

This section will assist with identifying any reasons that the person causing harm may be prohibited from possessing firearms pursuant to either a federal/state law or court order. This may be helpful when contacting law enforcement regarding assistance removing firearms.

## **Section D: Risk and Benefits of Removing Firearm(s) from the Person Causing Harm**

This section will assist with evaluating the risk and benefits that removal of firearms would provide for the survivor and their child(ren) at this current point in time.

## **Section E: Removal of Firearm(s), Licenses and Permits**

This section will assist with identifying ways that you may wish to have any firearm(s) removed from your home or the home of an intimate partner who abused you; and/or prohibit the person causing harm by court order or legal process, from possession, ownership and use of firearms and removal of licenses or permits.

## **Section F: Verification and Notification of Firearms Transfer and Return**

This section will assist in identifying how to verify the person causing harm has turned over the firearms to the appropriate authority. It will also suggest notification procedures in the event the person causing harm becomes eligible to possess firearms again.

## **Section G: Alternative Strategies to Removal of Firearm(s)**

This section will assist with formulating alternative strategies to the removal of firearms if it is determined that removal is not a safe or appropriate option

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