

For Wednesday, February 18, 2009

## **New boundaries approved for elementary schools**

**By DIANE STRAND**

She left the office at 5 p.m. From the corner of her eye, she saw her old boyfriend again, waiting across the street. She froze with the same, familiar fear, then walked quickly to her car and drove away. But as she turned into her driveway, she saw he had followed her in his car. She was terrified and felt trapped.

Stalking. There's a law against it in Illinois, passed a decade ago. But you wouldn't know it by the number of cases prosecuted.

DeKalb is one of only a couple of counties in Illinois actively enforcing the law against stalking. State's Attorney Ron Matekaitis said his office has prosecuted five cases. Twice the stalker was convicted, and twice the individual was found not guilty. One case is still pending.

Stalking can be subtle.

"The individual may send lilies to her office," Matekaitis said. "Co-workers may comment on how beautiful they are. But lilies are associated with death, so the victim may be terrified."

Another perpetrator may frighten a victim by leaving 30 notes on her windshield.

The original law, based on a Montana statute, was poorly written, hard to read and difficult to enforce. However, thanks to a bill proposed by state Rep. Dan Brady, R-Bloomington, the language has been simplified, with stalking defined as follows: "A person commits stalking when he or she, without lawful justification, engages in a course of conduct directed toward another person or a family member of that person that would (and does) cause a reasonable person to feel terrorized, frightened, intimidated or threatened ... ."

DeKalb County made great strides prosecuting domestic violence when it received a Department of Justice grant, which funded an assistant state's attorney to work exclusively with cases of domestic violence,

including stalking. The attorney was able to build rapport and trust with victims of domestic violence who often are afraid to press charges. They may fear retaliation, or they also may fear a loss of income if the bread-winner is jailed. But action must be taken, Matekaitis said, because "the abusive behavior will never end on its own. The violence only increases."

The program was also empowered by an investigative advocate through Safe Passage domestic violence shelter in DeKalb. In addition, a member of the sheriff's office was assigned to make arrests and do investigations in such cases. However, the state's attorney noted that due to major funding cuts, Safe Passage is doing the best it can with limited resources.

The county has been assisted by State Rep. Bob Pritchard, R-Hinckley, Matekaitis said. For example, attempted strangulation is now in its own felony class as an attempt to kill, beyond a pushing or hitting offense.

"One of the things we have to do is be aware of this [stalking] law and the conduct that goes into this," said Matekaitis, who recently was asked to participate in a panel discussion about stalking. "When a perpetrator is charged with stalking, the judge may issue an order of protection and tell them not to go within 1,000 feet of the victim. To enforce the ruling, the judge may require the offender to be placed on GPS monitoring. That device will alert the victim and the police if he comes closer than that 1,000 foot limit."

Another enforcement law in domestic violence cases and stalking came into play Jan. 1. A "risk assesement" must be conducted on the perpetrator to determine how great a threat he may be to the victim. The outcome will affect what bond is set. In addition, the individual may be fitted with an electronic monitoring device.