

**IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT
KANE COUNTY, ILLINOIS**

Case No. _____

Plaintiff(s)		Defendant(s)		
Plaintiff(s) Atty.		Defendant(s) Atty.		
Judge	Court Reporter	Deputy Clerk		
A copy of this order <input type="checkbox"/> should be sent <input type="checkbox"/> has been sent				
<input type="checkbox"/> Plaintiff Atty. <input type="checkbox"/> Defense Atty. <input type="checkbox"/> Other _____				

File Stamp

**ORDER ON RISK ASSESSMENT
Pursuant to 725 ILCS 5/110-5(f)**

FINDINGS (Check all that apply)

1. The Defendant is charged with:

- a. Unlawful Violation of an Order of Protection.
- b. one or more of the following offenses: **(check all that apply)**
 - Domestic Battery or Aggravated Domestic Battery Kidnapping or Aggravated Kidnapping
 - Unlawful Restraint or Aggravated Unlawful Restraint
 - Stalking, Aggravated Stalking, or Cyberstalking Attempt First Degree Murder
 - Harassment by Telephone or Through Electronic Communications

(If 1 does NOT apply, STOP. Do not use this order. 725 ILCS 5/110-5(f) does not apply. If only 1a applies, skip 2 and proceed directly to 3. If 1b applies, proceed to 2.)

2. Probable cause exists to support a finding that Victim is an intimate partner of Defendant because Victim is a spouse or a current or former partner in a cohabitation or dating relationship.

(If 2 applies, proceed to 3. If 1b applies but both 1a AND 2 do not apply, proceed directly to check 4 and A.)

3. All presented information has been considered, including, but not limited to, the following **(check all that apply)** :

- The alleged incident involved harassment or abuse, as defined in the IDVA of 1986 _____
- The defendant has a history of domestic violence as defined in the IDVA or other criminal acts _____
- The mental health of the defendant _____
- The defendant's history of violating the orders of any court or governmental entity _____
- The defendant has been or is potentially a threat to any other person _____
- The defendant has access to deadly weapons or a history of using deadly weapons _____

- The defendant has a history of abusing alcohol or any controlled substance _____

- The severity of the alleged incident that is the basis of the alleged offense, including but not limited to, the duration, and whether the alleged incident involved the use of a weapon, physical injury, sexual assault, strangulation, abuse during the alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to the alleged victim _____
- A separation of the Defendant from the alleged victim or a termination of the relationship between the Defendant and the alleged victim has recently occurred or is pending _____
- The defendant has exhibited obsessive or controlling behaviors toward the alleged victim, including but not limited to, stalking, surveillance, or isolation of the alleged victim or victim's family member(s) _____

- The defendant has expressed suicidal or homicidal ideations _____
- Information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint as follows: _____
- Other _____

(Proceed to 4)

WHEREFORE, IT IS HEREBY ORDERED:

(Check only one of 4, 5, 6, or 7)

- 4. **Risk assessment evaluation and bail condition of global positioning technology are NOT ordered** because: (check one)
 - A. 725 ILCS 5/110-5(f) is not applicable. Evidence presented fails to support probable cause finding that the Victim is an intimate partner.
 - B. Evidence presented fails to support imposition of a bail condition of global positioning technology as appropriate in this case.

(If 4 applies, this order is complete. Proceed to final signature. If 4 does NOT apply, proceed to 5.)

OR

- 5. **Risk assessment evaluation is NOT ordered. Bail condition of global positioning technology IS ordered** based on evidence already presented which supports imposition of such bail condition. Upon notification by the custodial authority of the posting of bond, Kane County Court Services shall implement the placement and monitoring of a global positioning device in compliance with 730 ILCS 5/5-8A-7.

(If 5 applies, proceed to 8 and check A and a separate order **MUST** enter for Global Positioning Technology. If 5 does NOT apply, proceed to 6.)

OR

- 6. **A risk assessment evaluation IS ordered.** Case continued for completion of the evaluation and further proceedings thereon to courtroom _____ at the Kane county Judicial Center on the _____ day of _____, 20 _____ at _____ am/pm.
 - A. Kane County Court Services shall facilitate preparation of a risk assessment evaluation as prescribed by statute as soon as practicable, utilizing a recognized, evidence-based instrument. The completed evaluation shall be submitted to the Court, and counsel.
 - B. If released from custody on bond prior to completion of the risk assessment evaluation and/or further proceedings thereon, Defendant is is not (check one) required to cooperate with a separate order of electronic monitoring device as an interim condition of bail.

C. If released from custody on bond prior to completion of the risk assessment evaluation, DEFENDANT MUST CALL COURT SERVICES at 630-406-7185 within 24 hours of release to schedule/confirm the risk assessment evaluation.

(If 6 applies and an interim electronic monitoring device is required, proceed to 8 to check either A or B and a separate order MUST enter for an interim electronic monitoring device. Otherwise, if 6 applies and no interim electronic monitoring device is required, this order is complete. Proceed to final signature. If 6 does NOT apply, proceed to 7.)

OR

7. Risk assessment evaluation has been completed through Kane County Court Services and tendered to the Court, and counsel if present for hearing, and (check one)

A. Evidence presented supports imposition of a bail condition of global positioning technology. Upon notification by the custodial authority of the posting of bond, Kane County Court Services shall implement the placement and monitoring of such global positioning device in compliance with 730 ILCS 5/5-8A-7.

B. Evidence presented fails to support imposition of a bail condition of global positioning technology as appropriate in this case.

(If 7A applies, proceed to 8 and check A and a separate order MUST enter for Global Positioning Technology. If 7B applies, this order is complete. Proceed to final signature.)

8. (If any form of electronic monitoring device is ordered, check 8 and either A and B below)

Compliance with an approved electronic monitoring device is a condition of Defendant's release on bail. The Sheriff/Local Law Enforcement Agency shall NOT release the Defendant from custody upon the posting of bond until the placement of an approved electronic monitoring device by Kane County Court Services at 630-406-7185 as indicated within this paragraph. If transferred directly to the custody of another Law Enforcement Agency outside of Kane County, the Sheriff/Local Law Enforcement Agency shall lodge a detainer hold for return to custody in Kane County until placement of such electronic monitoring device by Kane County Court Services. (check one)

A. Global Positioning Technology Device pursuant to 730 ILCS 5/5-8A-7

B. Electronic Home Monitoring pursuant to 730 ILCS 5/5-8A-1 et seq.

(If 8 applies, a separate order MUST enter for Electronic Home Monitoring or Global Positioning Technology. Proceed to 9.)

9. If completed, the cost of the risk assessment evaluation conducted through Kane County Court Services is set in the sum of \$100, and shall be paid to the Clerk of the Court by the Defendant, or on his/her behalf, no later than 30 days from the date of the order, unless otherwise ordered by the Court as follows: (Set out any reduction on cost or change in terms of payment) _____.

(Proceed to signature.)

10. 725 ILCS 185/12 shall apply to any interview of the Defendant conducted through Kane County Court Services for purposes of a risk assessment evaluation, if ordered.

11. If 5, 6, 7, or 8 above apply, the Clerk of the Court shall transmit a copy of this order to Kane County Court Services as soon as practicable by in-person delivery or by FAX to 630-208-1643.

12. If 8 above applies, the Clerk of the Court shall attach a copy of this order to the Sheriff's remand order.

Date: _____

Judge: _____