

Immigration crackdown interfering with domestic violence cases, prosecutor says



Kane County State's Attorney Joseph H. McMahon speaks during a police forum at Main Baptist Church in Aurora on Thursday, March 30, 2017. (Sean King / The Beacon-News)

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The crackdown on immigration may be preventing victims of domestic violence from reporting incidents to police or participating in the prosecution of those charged, Kane County State's Attorney Joe McMahon said.

"I have heard that has directly impacted the number of reports to the police," including victims failing to show up in court or failing to show up on return dates for orders of protection, McMahon said this week during his monthly news briefing.

"That makes it difficult to achieve justice for the direct victim and the victim in general, our community."

October is Domestic Violence Awareness Month, and McMahon invited representatives from the county's two domestic violence shelters — The Community Crisis Center in [Elgin](#) and Mutual Ground in [Aurora](#) — to talk about efforts to bring domestic violence awareness to their communities, providing safe havens for victims and treatment for offenders.

"It is a constant. It crosses all socioeconomic boundaries — our most rural and urban areas in Aurora and Elgin, the Tri-Cities and in the other part of the county," McMahon said.

Kane County prosecutes 1,150 to 1,250 misdemeanor domestic violence cases each year, McMahon said. He said the number of felony domestic violence cases is harder to track.

There was a time that domestic violence wasn't prosecuted as aggressively — partially because the victims may have been reluctant to testify or recanted, McMahon said.

He outlined a few cases prosecuted in recent months, including a woman who battered a partner outside a Kane County courtroom and a murder conviction for a man who shot his ex-girlfriend when she ended the relationship.

While domestic violence murder cases are rare here, it shows "how serious domestic violence is and how it can turn in an instance for somebody who wants to end a relationship and wants a better life for themselves and their children," McMahon said.

"There is a lot we have learned over the years," about the

why of domestic violence, he said.

"Domestic violence is a crime of power, it is a crime of intimidation and it is a crime of emotion," he said.

"It is a belief by men that women are inferior and that they can control them through verbal and physical abuse and too often it ends in tragedy," McMahon said.

While women and men can be victims of domestic violence, women are most often the victims, said Maureen Manning, director of client services at the crisis center.

"From 85percent to 95percent of the time, the domestic violence we are talking about is perpetrated by male versus a female," she said. The remaining 15percent to 5percent includes female against male but also gay and lesbian relationships, Manning said.

The data show that 1 in 4 women and 1 in 7 men can experience some level of domestic violence, said Michelle Meyer, executive director at Mutual Ground.

Of the 17 batterer groups that receive counseling through the crisis center, one of those is for female batterers, Manning said.

The advocates said there is no way to determine how much domestic violence goes unreported.

"What is actually reported is a fraction of the crimes that are actually committed. There are factors on why people do or do not report to the police and I am concerned about that," said McMahon, who is considering a run for Illinois Attorney General.

Those factors can include "all sorts of genuine reasons for not reporting crime — embarrassment that 'this doesn't happen in our sort of neighborhood,' religious beliefs, financial reasons, or 'this is just what happened in my

home and this is a normal adult relationship," McMahon said.

Fear is a large factor for victims not reporting violence and abuse in an intimate relationship, Manning said.

"There is the fear of retaliation. We know one of the most difficult points is when she has left. He may retaliate even more so," Manning said.

Laws have changed over the year, and it has become easier to prosecute even when the victim may not be fully cooperative.

Police body cameras, 911 recordings, other video footage and even the victim's original sworn statement can be used. "The General Assembly and our laws have changed in 25 years," McMahon said, and recognize the reasons victims may be afraid to testify.

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