

The law didn't save her

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Cindy Bischof thought her breakup with a longtime boyfriend would go smoothly after he agreed to move out of her house. But Michael Giroux quickly turned hostile, writing up a plan to destroy her home and following through with it.

Terrified after Giroux, 60, spray-painted every wall and piece of furniture in her Arlington Heights home last spring, the 43-year-old real estate broker moved swiftly to secure a protective order from a Cook County judge that prohibited him from contacting her.

When he violated the order on two occasions, including an attempt to hang himself on her patio, she didn't hesitate to press charges that landed him in jail for two months followed by home confinement.

To relatives and prosecutors, it appeared that Bischof was taking all the necessary steps to stay safe and that the legal system was delivering protection.

But after Giroux was released from home confinement this month, he showed up at Bischof's office in Elmhurst armed with a .38-caliber revolver. When she tried to get into her car, he shot her repeatedly then turned the gun on himself.

The March 7 slaying-suicide and the wrenching ordeal that led to it illustrate the harsh realities of domestic violence and the limitations of the system designed to address it.

A woman's risk of being seriously injured or killed by an intimate partner increases when she breaks off the relationship. In certain cases, a protective court order is not enough and the only viable option is for a woman to either enter a shelter or relocate, experts say.

Most people killed by an intimate partner are women. Nationwide, the number has declined in recent decades from about 2,900 in 1976 to 1,510 in 2005, according to the U.S. Justice Department. In Chicago, the numbers also dropped, ranging in recent years from 20 to 50, with unofficial figures showing nearly 40 slain in 2007.

Despite the declines, the cases occur with numbing frequency in the Chicago area.

In 2005, the former husband of Therese Pender of River Forest allegedly beat her to death with a hammer as she walked home from work, authorities say. The former husband is awaiting trial. That year, a 14-year-old girl found her mother, Cathy Lamonica, shot to death in her Park Ridge home. Authorities say her former husband had killed her, then took his own life.

In 2007, the body of Nailah Franklin was found in woods in Calumet City. Her former boyfriend has been charged.

Research has identified danger signs -- such as suicide attempts and losing interest in work, both of which Giroux displayed -- that point to an increased likelihood of murder. A program in the Cook County state's attorney's office was created to identify high-risk cases and actively prosecute them.

But as Giroux demonstrated, some people are not deterred by aggressive prosecution.

Bischof's family and other victims say the state should provide additional legal protections, such as mandatory electronic monitoring of people who have protective orders against them.

"If they're doing everything they can and this still happens, the laws need to be changed," said Bischof's brother, Michael Bischof of Barrington.

In the early 1980s, Illinois enacted a law that granted comprehensive protections to domestic violence victims, such as banning abusers from the home. Soon thereafter, Cook County created a court for such cases. In 1997, the state's attorney's office created a unit to prosecute the cases.

Today, the Illinois Domestic Violence Act is seen as one of the strongest laws of its kind in the country, said Dawn Dalton, executive director of the Chicago Metropolitan Battered Women's Network. Still, victims and their advocates see flaws in the legal system. If someone violates an order of protection, the person is supposed to face legal consequences, in some cases jail.

But some police officers, prosecutors and judges can be dismissive of violations, allowing harassment, stalking and other abusive behavior to continue, said Jennifer Greene, director of legal advocacy at Family Rescue, an organization that helps victims of domestic abuse in Cook County.

That was not the case with Bischof, who secured a two-year order of protection against Giroux last June after he vandalized her house. After pleading guilty to vandalism, he was ordered to serve time in Cook County Jail and underwent a psychiatric evaluation.

When Bischof reported that he had called and threatened to kill her family during the 4th of July weekend, he was charged with violating the protection order. Police re-arrested him in early September after he showed up at Bischof's house and placed a rope around his neck in an apparent suicide attempt, records show.

The judge set bond at \$75,000 and ordered Giroux to undergo another mental health evaluation.

He pleaded guilty in November to violating the order of protection and was sentenced to 63 days in jail followed by 60 days of home confinement and two years of intensive probation.

For several months, Bischof heard nothing from Giroux and thought the danger might have passed, said her mother, Barbara Bischof.

In a brief voice-mail message about 10 days before the slaying, he apologized for everything he had done. It seemed harmless, so Bischof didn't report it, her mother said.

But Giroux's behavior mirrored warning signs of a harasser bent on violence, according to advocates and legal authorities.

Studies of women killed by an intimate partner have identified common traits among the perpetrators. Among them: access to a gun, previous threat with a weapon, estrangement from the partner, stalking, forced sex, abuse during pregnancy, drug abuse and unemployment.

Giroux did not have a Firearm Owners Identification Card, which Illinois requires to buy guns. Elmhurst police say they are working with federal officials to determine how he got the pistol used to kill Bischof.

Giroux had financial troubles for years before he and Bischof started dating, and his fortunes seemed to decline during their three-year relationship, according to relatives and court records. Records show he was unemployed for at least part of the time and that he had declared bankruptcy in 2002.

"When individuals are unemployed or they start spiraling downward ... then that's a huge, huge red flag," said Pam Paziotopoulos, a former head of the Cook County state's attorney's domestic violence division.

Every day, a small team of prosecutors in the state's attorney's office reviews requests for protective orders to identify people who are at high risk of committing escalating violence. Under the 10-year-old Target Abuser Call program, legal advocates and social workers offer their services to the victims while alleged perpetrators are aggressively prosecuted.

Giroux wasn't flagged in this program, but he was actively prosecuted.

Experts say judges can't lock up people because they have the potential to commit murder. But that may be changing. A new Illinois law allows judges to consider risk factors for murder when setting bonds in domestic violence cases.

In certain cases, however, no jail sentence -- no matter how long -- would dissuade someone from harming their intimate partner, experts say.

That's why women who face abuse or harassment are encouraged to seek help outside the legal system. Domestic violence agencies can assist victims in creating comprehensive safety plans, which can include changing their name and even relocating.

Sometimes only the most extreme measure works, said Kathy Doherty, executive director of Between Friends, which provides legal advocacy to domestic abuse victims.

"We've helped some women disappear," she said.

How women can get help

Women can apply for an order of protection at Domestic Violence Court, 555 W. Harrison St. in Chicago, the suburban branches of Cook County Circuit Court and the circuit courts of the collar counties. You don't have to press criminal charges to secure an order, but you must document why you want it.

A variety of organizations can help women secure an order and take other steps to protect themselves. Among them:

- * Family Rescue, 800-360-6619,<http://www.familyrescueinc.org> .
- * Chicago Abused Women Coalition, 773-278-4566,<http://www.cawc.org> .
- * Illinois Coalition Against Domestic Violence, 877-863-6338,<http://www.ilcadv.org> .
- * National Coalition Against Domestic Violence, 800-799-SAFE (7233),<http://www.ncadv.org> .

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