

## *Information For Victims of Domestic Violence*

If you are a victim of domestic violence, and the police respond to assist you, they are required by law to read certain portions of this "booklet" to you. An **asterisk** next to the heading marks this information. The other information is provided for your additional benefit.

**This booklet was designed to inform victims, as well as promote awareness, so all citizens can help stop, prevent and/or minimize the effects of violence. It was made possible through federal funds from the Violence Against Women Act and the efforts of Govern Tony Knowles' Violence Against Women Act Implementation Planning Committee.**

I am not allowed to tell the truth.



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## **\*Police Officers Are There to Help**

- If you are a victim of domestic violence, and you believe that law enforcement protection is needed for your physical safety, you have the right to request that the officer assist in providing for your safety, to include asking for an emergency protection order.
- You may also ask the officer to assist you in obtaining essential personal belongings like clothes, toiletries, or medication for you and/or your child(ren) and locating and taking you to a safe place, including a designated meeting place or a shelter, the residence of a household member or a friend, or a similar place of safety.
- If you or your child(ren) are in need of medical treatment, you may ask the officer to assist you in obtaining medical treatment.
- A domestic violence program can further the efforts of the police in providing shelter, assistance and other resources. Some of those are listed under “A Domestic Violence Program Is There To Help”.

## **\* The Court Is There to Help**

You also have the right to file a petition in court requesting a protective order that may include any of the following provisions:

1. Prohibit your abuser from threatening to commit or committing further acts of domestic violence.
2. Prohibit your abuser from stalking, harassing, telephoning, contacting, or otherwise communicating with you, directly or indirectly.
3. Remove your abuser from your residence.
4. Order your abuser to stay away from your residence, school, place of employment, or any other specified place that you or another designated household member go to in order to be safe.
5. Prohibit your abuser from using or entering your vehicle or a vehicle you occupy.
6. Prohibit your abuser from using or possessing a deadly weapon.
7. Direct your abuser to surrender any firearm owned or possessed by the person, if the court finds the person was in actual possession of or used a firearm while the abuse was occurring.
8. Request a peace officer to accompany you to your residence to assure your safe possession of the residence, vehicle, or other items (regardless of ownership), or to ensure your safe removal of personal items from the residence.
9. Give you temporary custody of a minor child and arrange for visitation with a minor child if the safety of the minor child and the petitioner can be protected.
10. Prohibit your abuser from consuming controlled substances.
11. Require your abuser to pay support for you or a minor child in your care.
12. Require your abuser to reimburse you for your expenses caused by domestic violence, including medical bills, or for your costs in getting a protective order.

13. Order your abuser to participate in a Department of Corrections approved intervention program for batterers.
14. Other relief the court determines to be necessary for your safety

## **\* Protective Orders**

The forms you need to obtain a protective order are available from the police or nearest court. It is not necessary to have an attorney to obtain a protective order, but you may consult an attorney if you choose.

If you would like help in obtaining a protective order, you may call the victim advocacy program, law enforcement agency and/or prosecuting agency in your area. These may be indicated on the back of this booklet.

## **\* Prosecuting Agency**

If the perpetrator has been charged, and you would like to follow the progress of the case, you may contact the nearest District Attorney's Office or Municipal Prosecutor's Office. They may also have a designated victim/witness coordinator who is available to assist you during the length of the case.

## **\* Violent Crimes Compensation Board**

The State of Alaska has a Violent Crimes Compensation Board, which can provide compensation to victims who have been physically or emotionally injured in a violent crime.

Such compensation might include medical care for your injuries, crime victim related-counseling, wages lost by you due to injuries, and more. You can find out how to apply by contacting the Board at:

Violent Crimes Compensation Board

P.O. Box 11120

Juneau, AK 99811-1200

By phone at 1 (800) 764-3040 or by calling collect 1 (907) 465-3040

## **A Domestic Violence Program Is There To Help**

Call the agency in your area that is identified in the back of this "booklet". (If the agency is not identified, you may call the nearest law enforcement agency for the name and phone number of the shelter or program in your area.) An advocate from the program may provide a number of the following:

- ❑ Safe shelter
- ❑ Legal information
- ❑ Help in filling out protective order paperwork
- ❑ Books, and videos on domestic violence, sexual assault and child abuse
- ❑ 24 hour crisis line
- ❑ Transportation to shelter
- ❑ Access to other community resources like:
  - ❑ Housing
  - ❑ Social Services
  - ❑ Education
  - ❑ Counseling
  - ❑ Alcohol and drug treatment
  - ❑ Child care
  - ❑ Employment
  - ❑ Medical treatment
- ❑ Someone to go with you to court or the hospital
- ❑ Assistance filing for Violent Crimes Compensation
- ❑ Clothing and household items

## **Confidentiality**

Alaska has confidentiality laws protecting you, if you decide to seek services from a domestic violence or sexual assault program. These programs maintain strict principles of confidentiality. The laws in Alaska protect communications between victims of domestic violence and sexual assault and advocates, except in limited circumstances.

## **What Is An Advocate?**

An advocate is one who listens and is non-judgmental. Advocates are neutral parties who do not conduct investigations, assist in investigations, make assessment of parties involved, or testify in court. Advocates offer support and can assist with the many different areas listed on the previous pages. The goal of an advocate is to maintain positive working relationships with members of law enforcement, prosecution, and the courts in an effort to ensure the system runs smoothly for the victim. An advocate encourages self-reliance and provides information that will assist the victim to do things for themselves. An advocate will only speak or act on behalf of the victims at the victim's request and direction.

## **Mandatory Arrest**

When law enforcement officers become aware of an incident of domestic violence they are obligated to investigate. Officers/troopers are required to make an arrest if there is evidence violence occurred, and the perpetrator has been identified and can be located within 12 hours of the incident. After 12 hours, officers/troopers can arrest the perpetrator

with or without a warrant. Evidence includes your statement, the statements of others, injuries, damages to property, etc. It is the responsibility of the state or municipal prosecuting agencies to “press charges”. If there is probable cause a crime has been committed, only the police and the prosecutor, not the victim, have the decision to arrest.

## **You Can Help To Protect Yourself**

- ❑ Talk with a trusted friend or relative.
- ❑ Find out about shelters and safe houses BEFORE you need them.
- ❑ Have photos taken of your injuries; you can use them later.
- ❑ Have a signal with your neighbor for when you need help, and ask for your neighbor to call the police if suspicious noises are heard coming from your house.
- ❑ Keep money, important papers, clothes, car keys and other essential items in a safe place.
- ❑ Teach your children to use the telephone or radio to contact the police in case of an emergency.
- ❑ Call the police when it is safe and you can get a protective order from the court.
- ❑ Meet with an advocate from a shelter or other program designed to help or with a friend and make a safety plan. Practice this plan with your children.

## **Know That The Abuse Is Not Your Fault**

- ◇ Know that nothing you do caused the abuse.
- ◇ Know that no one has the right to abuse you.
- ◇ Know that you are not the only one being affected. Children from violent homes experience depression, anxiety, fear, low self-esteem and guilt.
- ◇ Know that most children raised with abuse learn to use violence as one way to control others by using power and force. Violence allows problems to continue and the violence escalates over time.
- ◇ Know that relationships based on fear, power and control are abusive.
- ◇ Know that others understand why you would want to stay and that leaving a relationship is not easy.
- ◇ Know you can wait and hope for it to change and stay in danger, but know that abuse usually gets worse, more intense and more frequent over time. Even ending a relationship is not enough to protect you from danger without support from others. You must get help.