

DOMESTIC VIOLENCE IS A CRIME. Anyone can be a victim. You have a right to be safe from abuse, harassment, and threats. Help is available for you and your family--free and confidential. **DO NOT HESITATE TO CALL FOR HELP.**

- You and your children, if any, have the right to be safe from harm and threats. Take action now to prevent future harm.
- Call the nearest **Domestic Violence Center and LOCAL Department for Community Based Services (DCBS)** for confidential information, safe shelter, and many more services (e.g., crisis lines, support groups, and referrals to helpful programs).
- Call the **police** for protection and to **make a report** of the incident(s). Under certain circumstances, abusers may be arrested without a warrant.
- Get **medical attention**, copies of records and **photos** of any injuries and areas of pain. Some injuries, like bruises, need to be photographed again as they change.
- If you have been **raped or sexually assaulted**, contact the nearest **Rape Crisis Center** for confidential information and counseling, even if the abuse occurred years earlier. If the incident was recent, preserve evidence of the assault--do not bathe, change clothes, or brush your teeth. Go to a hospital for treatment and evidence collection. A **sexual assault examination** (medical-forensic) and other related tests should be conducted **within 96 hours** following the assault--whether or not you choose to talk with a police officer or victim advocate at that time. As long as the police are notified, the exam should be paid for by the **Crime Victim Compensation Board**. Even with no apparent physical injuries, this exam is important for your own health and protection (risks for sexually transmitted diseases and pregnancy), and the evidence collected will be available for any legal action at a later date, if needed.
- You can file a **criminal complaint** with the County Attorney. You may also file a petition for a **Domestic Violence Protective Order** through your local courthouse (no fees or attorney required). Your location should remain confidential on these records. If the abuser violates a protective order (EPO, DVO) or Conditions of Release after an arrest, report it! The abuser may be arrested or held in contempt of court.
- Contact your nearest **Community Mental Health Center** for other counseling and educational services (e.g., victims/survivors, abusers).
- Ask about other rights you may have under the **Kentucky Crime Victims' Bill of Rights (KRS 421.500)**.

EMERGENCY PROTECTIVE ORDERS (EPO) are temporary, short-term orders that can . . .

- Direct the abuser to stop the abuse, leave the residence, have no contact or communication, and/or restrain from disposing or damaging property.
- Provide the petitioner with temporary custody of minor children.
- Provide other relief needed to prevent future domestic violence and abuse (e.g., confiscation of weapons, custody of pets, etc.).

AFTER A FULL HEARING, DOMESTIC VIOLENCE ORDERS (DVO) can be issued for up to 3 years, and can . . .

- Provide for any or all of the terms listed for EPOs (see above).
- Provide the petitioner with temporary custody and support of minor children.
- Order appropriate counseling such as Batterer Intervention Programs and substance abuse monitoring and treatment.
- Provide other relief needed to prevent future domestic violence and abuse (e.g., weapons restrictions on abuser, pet protection, etc.).

After an order is issued (EPO or DVO), if you need to change any of the terms established by a court, you must first return to the courthouse and file a Petition for an Amendment. Example: If, in good faith, you want to allow the abuser to return home, but keep the other terms of protection for you and your family (e.g. - no more abuse and destruction of property by abuser, abuser to attend counseling and be restricted from owning or purchasing firearms, etc.), **you must first return to the courthouse and file a petition for these changes.** If the court does not make the changes, the abuser may be arrested for violating the original terms of the EPO or DVO.

Any **violation of these court orders** may constitute Contempt of Court (KRS 403.760) or Violation of a Protective Order, a Class A misdemeanor (KRS 403). Any peace officer should therefore enforce the terms of these orders consistent with state and federal laws. If a violation occurs and law enforcement is not contacted, **you should return to the courthouse and file a Motion for Violation of the order.** A **criminal complaint** may also be filed with the county attorney; a police report helps.

Important Difference--Protective Order or Restraining Order?

Protective orders can be promptly enforced by police and the courts because these court orders must be entered into computer systems such as the Law Information Network of Kentucky (LINK). Officers across the country can access this protective order information at any time in order to enforce these court orders. However, Restraining Orders and Divorce Decrees are not entered into such systems. They require the services of an attorney and a court hearing before they can be enforced.

DOMESTIC VIOLENCE CENTERS

1-(800)-799-7233

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| ▪ Safe, temporary emergency shelter for adult victims and their children | ▪ 24-hour, toll-free crisis lines and intervention services |
| ▪ Individual and group counseling (shelter and community) | ▪ Referral to community services |
| ▪ Victim advocacy (children, court, health/mental health care, work, etc.) | ▪ Children's services (education, counseling, etc.) |
| ▪ General information on domestic violence/sexual assault | ▪ Community education and professional training |

CABINET FOR HEALTH AND FAMILY SERVICES -- DEPARTMENT FOR COMMUNITY BASED SERVICES (DCBS)

1-(800)-752-6200

Your LOCAL DCBS office has trained social workers who are responsible for assisting victims of adult and child maltreatment (e.g., domestic and family violence, harm by caretaker). When appropriate, a trained social worker will contact you to arrange a safe time to confidentially discuss this report and offer assistance to you and your family, if indicated. Adult domestic violence victims have the right to accept or decline services at that time and may ask for services at a later date, if needed. Examples of voluntary protective and supportive services include but are not limited to:

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| ▪ Safe, protective shelter/housing (adults and children) | ▪ Legal protection (police and courts) | ▪ Information on domestic violence/sexual assault |
| ▪ Health/mental health care | ▪ Counseling | ▪ Child care |
| ▪ Victim advocacy (children, court, health care, work, etc.) | ▪ Housing assistance | ▪ Employment and education assistance |
| ▪ Financial assistance | ▪ Preventative assistance | ▪ Information and referrals |

The services provided by Domestic Violence and Rape Crisis Centers and the Department for Community Based Services are free and confidential.