

Domestic Violence Response Protocol



For Wells County,
Indiana

Developed and Published by the
Wells County Domestic Violence
Task Force

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PREFACE

The Wells County Domestic Violence Protocol represents the work of the Wells County law enforcement officers, probation officers, Clerks of the Court, Judges, prosecutors, legal services, shelter advocates, social services, medical providers and others who work with survivors of violence and recognize the need for a uniform enforcement of existing domestic violence laws by all actors in the law enforcement network.

This protocol is not intended to mandate the duties or practices of the actors described within. It does, however, set forth a model of response for the uniform enforcement of domestic violence laws and effective protection of victims. In doing so we hope to promote the following;

- ***Domestic Violence Prevention and Awareness***
- ***Accountability of all Batterers***
- ***Accountability of providers***
- ***Justice and Safety for the victim***

What Is Domestic Violence?

Domestic Violence is a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner.

Abuse can be physical, emotional, sexual or psychological actions or threats of actions that influence another person. This includes any actions that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure, or wound someone.

Domestic Violence can happen to anyone of any race, age, sexual orientation or gender. It can happen to couples who are married, living together or who are dating. Domestic violence affects people of all socioeconomic backgrounds and education levels.

-Definition provided by Indiana Coalition Against Domestic Violence

LAW ENFORCEMENT

Introduction

Domestic violence is a crime that differs from other crimes because of the intimate relationship between the victim and offender. Officers should employ standard precautionary measures and police practice for dealing with any conflict in which violence is alleged and the existence of weapons is a possibility. Domestic violence is a complex social problem affecting families from all social and economic backgrounds, and causes profound physical and emotional damage to the family unit, and its individual members. It is a serious crime that has a dramatic impact on society. In recognition of the difference between domestic violence and other crimes, law enforcement should provide victims with special assistance to inform them of the services and support available to assist them.

Law enforcement should arrest and pursue criminal charges appropriate to the crime that they have probable cause to believe the accused has committed.

Service Commitments

1. The law enforcement response to domestic violence shall be as thorough and conscientious as for any other criminal investigation of a crime. Arrest is the preferred response in all cases of domestic violence.
2. Law enforcement shall participate in training and updates concerning domestic violence annually, or as ordered by their department.

Screening and Identification

1. When a call is received, the dispatcher will attempt to secure the following information:
 - ☐ Complainant, address and telephone number
 - ☐ Is the crime in progress?
 - ☐ Is there a weapon involved or in the home?
 - ☐ Is anyone injured, ambulance needed?
 - ☐ Assailant's whereabouts, direction and mode of travel?
 - ☐ Are drugs/alcohol involved?
 - ☐ Has there been a previous history?
 - ☐ Are there children present?
2. The dispatcher should listen for background noises that assist in evaluating the threat level (screams, shouts, shots, breaking glass, etc.) These will assist the responding unit in their response and possibly assist in establishing Probable Cause.
3. Maintain telephone contact, if possible, to monitor the incident and provide support for the victim.
4. Dispatch primary unit and back up.

On Scene Investigation & Arrest

1. The officer should evaluate the facts and determine if Probable Cause exists. Probable Cause standard applied in Domestic violence offenses are no different than when applied in any other criminal offense.
2. The officer should **not** consider the following in determining Probable Cause or arrest:
 - ❑ Whether the parties are married (except the extent necessary to determine if the parties fall within the statutory definition of domestic violence)
 - ❑ Whether the aggrieved person has sought or obtained a legal restraining or protective order.
 - ❑ Whether or not the aggrieved party has sought or instituted divorce proceedings.
 - ❑ The victim's unwillingness to prosecute the case
 - ❑ The police officer's belief that the victim will not prosecute
 - ❑ Verbal assurances by either party that the violence will stop
 - ❑ The race, ethnicity, sexual preference, social class, or occupation of the victim and/or the offender, or prominence in the community
 - ❑ Previous court dispositions regarding these same persons
 - ❑ Assurance by one or both parties that the violence will stop
 - ❑ The officer would prefer to reconcile the parties
 - ❑ Whether the aggrieved person has called for police protection previously and has not pursued and/or has withdrawn the criminal complaint against the abuse
 - ❑ Denial by the offender that the violence occurred when the facts and circumstances show otherwise. (Of course, when the victim denies that any violence occurred, the officer must determine if there is any independent evidence from which to establish probable cause, e.g., admissions by the offender, injuries, and statements of witnesses).
 - ❑ A claim by the offender that the victim provoked or perpetuated the violence (this is different from the offender claiming that he / she acted in self-defense);
 - ❑ Speculation that the victim will not follow through or cooperate with criminal prosecution (whether based on prior incidents involving the same victim, the victim's hesitancy about pursuing prosecution, or any other factor);
 - ❑ The disposition of any previous police calls involving the same victims or offender (except to the extent necessary to establish credibility);
 - ❑ Speculation that the arrest may not lead to a conviction;
 - ❑ The existence or non-existence of a current protection order (except insofar as the violation of such an order might justify arrest);
 - ❑ The victim's emotional state;
 - ❑ Concern about reprisals against the victim;
 - ❑ Adverse financial consequences that might result from the arrest;
3. If Probable Cause exists, the officer shall proceed with initial case report, domestic violence supplement report, preservation of the crime scene, collection of existing evidence, photographs of injuries, and arrests. If there are children present, the officer shall make a referral to the Department of Children's Services
4. The officer shall determine the primary aggressor
Note: Dual arrest is discouraged and should be avoided. When allegations of mutual battering occur, the officer will conduct a thorough investigation to determine the

principle perpetrator. No arrest shall occur if the officer has reason to believe the person was acting in self-defense or defense of a child or helpless other.

5. The officer shall observe the condition of any children at the scene for injury or trauma and make appropriate referrals. Law enforcement recognizes that trauma can occur even when no visible injuries are present. Referral to appropriate agencies will insure that the long-term effects are minimized.
6. Complete a thorough investigation, including interviewing all potential witnesses at or near the scene, which may include child(ren), neighbors, and other family members, etc.
7. Officers will consider the domestic violence crime as any other criminal investigation: preserving the crime scene, investigating other possible criminal violations, and protecting the victim from further harm. All evidence collected will be analyzed and processed per department policy.
 - ❑ Protect the crime scene
 - ❑ Complete case report and domestic violence supplemental report
 - ❑ Utilize photographs and other available methods to record physical injury
 - ❑ Document condition of scene, i.e.: damage to property, broken/overturnd furniture, telephone or wires pulled from wall, etc.
 - ❑ File all necessary/appropriate charges
 - ❑ Determine if there is a protective/restraining order or other court order in place

Intervention and Referrals

1. Police officers responding (IC 35-33-1-1.5) to the scene of family violence are required to “use all reasonable means to prevent further violence”, including the following:
 - ❑ Transport the victim and children to a safe place
 - ❑ Assist in removing victim’s family necessities
 - ❑ Giving written notice of rights to victims
 - ❑ Remove firearms, ammunition, or other deadly weapons, if the officer has reasonable belief that it exposes the victim to an immediate risk of serious bodily injury, or was the instrumentality of the crime, or observed the firearms, ammunition or other weapon at the scene.
 - ❑ Explain Victim Notification Request
2. The officer shall assist the victim in obtaining appropriate medical attention, and explaining possible civil remedies and other services and options for meeting needs.
3. The officer shall also recognize that even when a crime is not committed, resources are still helpful to the family experiencing family violence. The officer shall make every effort to educate persons regarding those resources.

PROSECUTION

Introduction

The office of the prosecuting attorney realizes that it is important to recognize that domestic violence is a crime that differs from other crimes because of the intimate relationship between the victim and the offender. Therefore, the successful prosecution of domestic violence cases requires techniques designed to prosecute the offender, protect the victim from retaliation, allay the victim's fears of the criminal justice system, and encourage a victim's cooperation with the prosecution's effort.

Service Commitments

The Prosecutor's Office is committed to providing timely and effective response to domestic violence and achieving the following goals:

1. Stopping the violence;
2. Protecting the victim from additional acts of violence committed by the offender;
3. Protecting children or other family members from exposure to, or possible injury from, domestic violence;
4. Protecting the public;
5. Deterring the offender from committing continued acts of violence;
6. Obtaining restitution for the victim;
7. Rehabilitating the offender;
8. Creating a general deterrence in the community to acts of violence; and
9. Upholding the legislative intent to treat domestic violence as serious criminal conduct.

Assessment (Charging Considerations)

The decisions of whether to file charges and which charges to file are solely the responsibility of the Prosecutor. The Prosecutor will review the proposed Charging Informations and supporting documentation provided by the investigating law enforcement agency and shall determine which charges are appropriate. In making these decisions the Prosecutor will consider whether there is sufficient admissible evidence to sustain a guilty finding and whether there is a reasonable probability of conviction. The Prosecutor will evaluate several different factors including, but not necessarily limited to, the following:

1. Elements of the offense under consideration;
2. Corroborating evidence including, but not necessarily limited to, the following:
 - a. Formal statement of the victim;
 - b. Statements from all potential witnesses;
 - c. Formal statements of the offender;
 - d. Informal statements of the offender;
 - e. The relative credibility of the statement of the offender and/or the victim under the circumstances;
 - f. Photographs;

- g. The existence and content of any 911 call or call to law enforcement;
 - h. Medical records of the victim's injuries; and
 - i. The existence and content of any enforceable Protective Order or No-Contact Orders.
- 3. Extent of injuries and/or threats;
- 4. Use or threatened use of weapon;
- 5. Offender's criminal and/or violence history, especially prior acts directed toward the victim;
- 6. Potential lethality of the situation;
- 7. Offender's use of alcohol and/or drugs;
- 8. Victim's cooperation or lack thereof.;

If the Prosecutor determines that additional evidence is necessary and obtainable, the Prosecutor shall advise the investigating officer as to what is needed prior to the filing of charges. Once sufficient evidence is obtained, the Prosecutor shall file the appropriate charges.

Intervention and Referrals

When charges are not appropriate:

- 1. Victim's Assistance shall:
 - a. Offer to refer the victim to a domestic violence victim services program and/or safe shelter;
 - b. Offer to meet with the victim to explain to the victim why filing of charges was not appropriate under the circumstances;
- 2. The Prosecutor shall:
 - a. Keep a record of the incident and document the reasons as to why charges were not appropriate;

When charges are appropriate:

- 1. Victim's Assistance shall:
 - a. Determine the victim's position regarding the imposition of a No-Contact Order as a condition of release;
 - b. Offer to refer the victim to domestic violence victim services program and/or safe shelter;
 - c. Offer to obtain protection for the victim and children;
 - d. Offer to help the victim secure temporary housing;
 - e. Refer the victim to facilitators who can provide financial and/or medical assistance and/or counseling;
 - f. Listen with empathy to the victim's circumstances;
 - g. Notify the victim of court dates;
 - h. Offer to provide transportation to court or the Prosecutor's Office for interviews and/or depositions;
 - i. Coordinate depositions and/interviews of the victim with the victim's schedule;
 - j. Provide support during trial and/or other court proceedings; and
 - k. Notify the victim of proposed plea agreements and relate the victim's opinion thereof to the Prosecutor.

Case Progression

1. Bail
 - a. The Prosecutor acknowledges that the bail established for Domestic Battery cases is higher than standard bail for other cases in the same classification.
2. Initial Hearing
 - a. The Prosecutor shall not object to a reduction to “standard bail” unless exigent circumstances dictate the opposition to such a reduction.
 - b. Prosecutor will request the entry of a No-Contact Order (to include all members of the victim’s family residing within the victim’s residence) as a condition of release unless the victim specifically requests that one not be entered.
3. Trial Preparation / Discovery
 - a. The Prosecutor will meet with the victim as soon after the Initial Hearing as is practicable to discuss procedures and expectations.
 - b. The Prosecutor will exercise due diligence to ensure that all evidence pertaining to the case is collected.
 - c. The Prosecutor will engage in discovery exchange as ordered by the Court.
4. Case Disposition
 - a. The Prosecutor has the sole discretion to determine whether to make a plea offer, to accept a plea offer made by the defendant, to dismiss the case, to proceed to jury trial, to proceed to a bench trial, or to resolve the case by an alternative disposition.
 - b. When considering a plea agreement, the Prosecutor shall:
 - i. Consider the relative strengths and weaknesses in the State’s case, including but not necessarily limited to:
 1. The level of the victim’s cooperation;
 2. The cooperation of other family witnesses and their ability to provide competent testimony in light of their ages;
 3. The admissibility of the evidence collected by the investigating officer; and
 4. The probative value of the admissible evidence to be presented at trial.
 - ii. Consider the victim’s wishes as to disposition;
 - iii. Consider the stress of a trial on the participants;
 - iv. Consider the goals of prosecution including, but not necessarily limited to, whether a proposed plea agreement would result in:
 1. A conviction;
 2. Incarceration;
 3. Counseling to address the offender’s issues; and/or
 4. A requirement that an offender be required to register as a sex offender or a violent offender.
 - c. If a Prosecutor determines that a case cannot proceed because a conviction is not attainable, the Prosecutor shall have Victim’s Assistance notify the victim as to the Prosecutor’s decision and offer to have the victim meet with the Prosecutor in person to discuss the Prosecutor’s decision.

Proceeding without Victim Cooperation

In the event that a victim refuses to testify, recants prior statements, or fails to appear for trial, the Prosecutor has the sole discretion to determine whether to proceed with prosecution. In making this determination, the Prosecutor shall consider the following:

1. The extent to which evidence necessary to sustain a conviction can be admitted through non-victim witnesses;
2. The offender's criminal history;
3. The offender's history of violence against the victim;
4. The risk that the offender poses to the community;
5. The risk that the offender poses to the victim in the event of a prosecution as compared to the risk that the offender poses to the victim in the event of a dismissal; and
6. The Rules of Professional conduct with respect to attorneys and prosecuting attorneys.

Follow up

Victim Assistance shall be available to answer questions that the victim may have regardless of the disposition of the case.

PROBATION

The role of probation is to closely monitor convicted domestic violence offenders sentenced to probation by the Courts. Therefore the probation department will:

1. Provide designated probation officer(s) who has/have developed and maintained expertise relevant to domestic violence cases and offender case management;
2. Assign domestic violence probation cases only to probation officer(s) designated for such cases;
3. Require of each offender, at minimum:
 - a. Completion of a court-approved domestic violence batterer intervention program (BIP);
 - b. Absolute compliance with conditions of all existing restraining or protective orders, including any no-contact and/or firearm or dangerous weapon possession prohibitions;
 - c. Override all domestic violence supervisions to “high risk” cases until they are involved in a court-approved batterer intervention program.
4. Encourage feedback from victim, law enforcement and other agencies who may be involved with those affected by a case of domestic violence. This information will be used to aid in sentencing and to structure more effective case management.

Probation Violations

Upon violation of conditions of probation relating to recidivist behavior, consideration of a warrant, rather than a summons, shall be made when filing a Verified Petition to Revoke Suspended Sentence and Probation. Specifically cases when the probationer violates probation by violating a protective order, committing a new violent offense or is found to have violated probation by using drugs or alcohol when prohibited.

Custody and Visitation Issues

Domestic violence offenders admitted to probation may exercise any joint custody or visitation rights (relative to children in the physical custody of the victim) only in a manner consistent with any existing full no-contact order or any restraining order issued as a condition of probation. Such orders shall require that visitation or joint custody exchanges of minor children utilize a neutral third party.

EDUCATIONAL SYSTEMS

Introduction

Through daily contact with students, education systems are in a unique position to assist students and families who are directly affected by domestic violence, and to provide prevention education throughout students' academic experience. In conjunction with other helping agencies, education professionals can become an integral part of a multifaceted effort to help students who suffer from violence in their homes. Further, the school can become the leader in an educational effort to prevent future violence. This protocol provides the guidelines for school personnel for both effective prevention education and for appropriate response and support when domestic violence affects students.

Service Commitments

1. Schools will address the primary safety and security needs for students;
2. Schools will acknowledge and respond appropriately to children who fail to thrive intellectually or achieve academically as a result of being a secondary victim of domestic violence;
3. Assessment will be conducted by a person designated by the school as the domestic violence resource person. This person should be trained and be available to discuss individual student problems that may be related to family violence. The resource person's responsibilities include compiling information on local domestic violence programs and services and maintaining contact with students who have been identified as living with violence in their homes;
4. Resources on domestic and dating violence will be available to school personnel.

Screening & Identification

School personnel should remain alert and sensitive to students' behavior for signs of the effects of family violence. If teachers and other school personnel become aware or suspect that a student is having problems in school which are or may be related to violence in the home, the teacher should contact the designated domestic violence school staff person.

Assessment

1. The domestic violence staff person will interview the child to determine the nature and severity of the situation.
2. While respecting confidentiality, additional information will be gathered related to the academic, behavioral, and social performance areas.
3. The parent will be contacted if appropriate.
4. The school resource officer will be utilized if appropriate and available

Intervention & Referrals

The domestic violence staff person will ascertain the next step for helping the student and will inform the school's principal of the current situation. Factors to consider include the child's age and specific family circumstances, and resources available in the school and community. The school should also assess the potential danger to the child. (A parent

may become upset if aware that a child has told people outside the family about violence incidents.)

A. Assistance for Students

1. Domestic violence personnel will assess the current potential danger and then inform the school's principal of the situation.
2. Counseling will be made available within the school.
3. Domestic violence personnel will work with the classroom teacher to monitor academic, behavioral, and social concerns.
4. Referrals for resources such as tutoring or remediation will be made when appropriate.
5. Domestic violence personnel will help the student develop a safety plan and inform student of available community resources.
6. Domestic violence personnel will contact parent regarding student's troubling behavior if appropriate.
7. Referrals will be made to community if appropriate.

B. Assistance for Adults

1. Domestic violence resource personnel may attempt to contact the appropriate community resources.
2. Information on family violence shall be available at each school.

Documentation & Reporting

Witnessing domestic violence may be considered a form of child abuse, especially if the child suffers negative physical, psychological, or developmental effects. School personnel are mandatory reporters in cases of child abuse or neglect. Therefore, if an assessment identifies a positive correlation between student behaviors and confirmed or probable exposure to domestic violence, a report shall be filed with the Department of Child Services (DCS). It may also be necessary to file a police report, especially when there is evidence of physical harm to the student.

Follow-up

Domestic violence resource personnel shall make regular, on-going contact with the student.

Prevention & Education

Violence prevention education may be made available for all students. Local domestic violence victim services providers, guidance curricula, and health and wellness curricula are sources for programs and information on prevention education. Education programs geared specifically to the needs of each school and community can take many forms including the use of guest lecturers in classes; school-wide assemblies on violence; production and distribution of posters; and research projects on family violence as part of classroom work. Any education program about domestic violence should convey the message that violence is unacceptable and that there are alternatives to violence for resolving conflicts and dealing with anger and frustration. It is also valuable to demonstrate that domestic violence is not the fault of children and that it occurs in many homes. This helps to reduce the feelings of isolation, shame, and secrecy.

SOCIAL SERVICES

Introduction

All human service professionals are committed to the support of families and to ensuring the protection of children and the communities in which they live. To accomplish this, we will provide leadership and develop community collaboration in the creation of public policies and programs that strengthen and assist families. We are dedicated to providing services in the least restrictive manner possible while respecting the dignity of those we serve.

Service Commitments

Each organization shall:

1. Provide annual training about domestic violence to staff.
2. Ensure organization's policies and procedures are sensitive to domestic violence issues and victim safety.
3. Screen all clients for domestic violence through specific intake procedures and/or general observation.
4. Provide clients with literature, including crisis hotline numbers, through brochures, videos, newsletters, and the displaying of posters and crisis hotline information in restrooms and other areas.
5. Refer suspected or confirmed victims to the closest domestic violence services organization or shelter.
6. Refer suspected or known perpetrators to batterer-specific programs.
7. Encourage victims to seek Child Protective Services assistance in protecting children through prevention services, assistance in removing abuser from the home, etc.
8. Report cases of abuse or neglect of dependent adults to Adult Protective Services.

Screening, Identification & Assessment

Universal Screening

Social Service agencies shall universally screen every client for domestic violence in the home.

1. Open-ended questions shall be used as much as possible, as they can be more effective than closed-ended questions. Choice of questions and exact wording will depend on the client's situation and on the level of trust perceived in relationship with the client.
2. A more thorough screening shall be done if child, elder, or animal abuse or neglect is being investigated, as multiple forms of abuse are often present within an abusive household.
3. All clients will be questioned individually if the suspected offender is present at the time of the interview. The suspected offender may be given an alternate task to complete during the suspected victim's interview. Screening may also be done in follow-up calls or meetings, if that would be safer for the suspected victim.

Sample Screening Questions

1. How is conflict handled with your partner?
2. When you and your partner disagree, fight, get angry, etc., what kind of things happen?
3. Can you tell me about the use of alcohol / drugs in your / your partner's life?
4. How are decisions made in your home / life?
5. Family and friends can be an important support network. Will you describe your network of support for me?
6. To whom in your family are you closest, and why?
7. To whom would you go to if you needed help with anything?
8. How are decisions about money handled in your home?
9. Has there been a time when you have been frightened by your partner?
10. What kinds of hobbies or other things do you do just for yourself?

Observable Behaviors That May Be Warning Signs of Victimization

1. The client appears nervous and / or avoids answering questions directly.
2. The client looks to partner for affirmation / permission.
3. The client apologizes for the partner's behavior or justifies the behavior.
4. The client blames self for partner's negative behavior.

DOMESTIC VIOLENCE INVESTIGATION PROTOCOL BETWEEN LAW ENFORCEMENT AGENCIES AND THE DEPARTMENT OF CHILD SERVICES

Recognizing that a successful outcome in the investigation of domestic abuse cases is best accomplished when the responsible agencies work cooperatively to provide the necessary action and services in relation to a situation involving domestic violence or other criminal activity, particularly when children are involved or affected. The following protocol for the investigation of domestic violence and other criminal cases where a child is involved is hereby adopted between the Wells County Sheriff's Department, Bluffton City Police Department, and the Wells County Department of Child Services.

1. The Department of Child Services should be called immediately by a law enforcement agency conducting a criminal investigation when a child is present in the home and there is an imminent danger of bodily harm to the child and no suitable alternative is available for the care and protection of the child.
2. If there is an imminent danger of bodily harm to a child at the time of the investigation being conducted by the law enforcement agency, a written report of the incident of domestic violence where a child was present or other criminal acts that directly affect a child's well-being should be reported to the Department of Child Services within 24 hours.
3. The following factors may be used by the law enforcement agency and Department of Child Services to assess the potential risk to a child:
 - a. The age of the child and the child's physical and mental abilities.
 - b. The severity of the abuse or violence perpetrated in the presence of the child.
 - c. The extent of injury, if any, to the child.
 - d. The likelihood that the abuse will continue once the law enforcement officers have left the scene of offense.
 - e. Whether or not weapons, alcohol, or controlled substances were involved in the offense.
 - f. Whether or not the parent or caregiver with whom the child remains is capable of protecting the child from further exposure to harm from domestic violence or other criminal activity.
 - g. Whether or not there is any prior domestic violence with the family.
 - h. Any other factor present under the circumstances being assessed that can be articulated as posing a risk to the safety of the child.
4. If the Department of Child Services determines that some form of intervention by the Department is appropriate, the Department's involvement may include any of the following measures:
 - a. A referral to Network for Safe Families may be
 - b. A Court approved Informal Adjustment plan of services between a family and the Department of Child Services.

- c. A Non-emergency CHINS proceeding where removal of a child is not necessary but an order from the Court is required for a child in need of services that are unlikely to be provided or accepted without the coercive intervention of the Court.
- d. An Emergency CHINS proceeding with the Court when intervention by the Court is necessary to provide for the safety and well-being of a child, which action may involve the removal of the child from the home.
- e. Assist in obtaining a Protective Order to prevent the offending party from removing the child or from residing with or having contact with the child.
- f. Such other action is available and is deemed appropriate by the Department of Child Services.

MENTAL HEALTH SYSTEMS

Introduction

Mental health professionals come into contact with victims, offenders, and witnesses of domestic violence under a variety of circumstances and in a variety of clinical settings. This Protocol is intended to offer guidelines and standards for mental health professionals, and to call for voluntary compliance to these guidelines and standards throughout mental health systems.

Domestic violence can lead to other common emotional traumas such as depression, anxiety, panic attacks, substance abuse and posttraumatic stress disorder. Abuse can trigger suicide attempts, psychotic episodes, homelessness and slow recovery from mental illness. Children exposed to domestic violence are at risk for developmental problems, psychiatric disorder, school difficulties, aggressive behavior, and low self-esteem. These factors can make it difficult for survivors to mobilize resources. Many domestic violence survivors do not need mental health treatment and many symptoms resolve once they and their children are safe and have support. For others, treatment is in their plan for safety and recovery (American Psychiatric Association, 2005 *Let's Talk Facts about Domestic Violence*)

Service Commitments

Mental Health professionals must always be aware of the need to assess couples and families for the presence of Domestic Violence and be prepared to identify needs and make appropriate referrals for the family members. Mental Health professionals providing treatment and services in compliance with this Protocol demonstrate their commitment to providing the highest standard of care in the following areas:

1. Identification and Screening of Those Who Batter
2. Referral of Those Who Batter to Batterer Intervention Programs that meet ICADV standards
3. Assessment of Victims / Survivors
4. Treatment of Victims / Survivors
5. Professional Training and Education

I. Identification and Screening

There are several ways in which mental health professionals come into contact with domestic violence cases, including:

1. Mandated treatment for batterers from the courts as a pre-trial diversion or as a sentencing alternative for assault or stalking.
2. Self-referral for domestic violence counseling by the batterer (e.g. in response to a partner's threat to leave) or by the victim (e.g. for supportive services).
3. In the context of therapy for other concerns (e.g. substance abuse, marital conflict, anger problems, depression, academic or conduct problems of children who witness domestic violence, etc.).
4. Referrals from other agencies for mental health concerns, drug/alcohol abuse, or domestic violence. Such referral sources include DCS, Employee Assistance Programs, hospitals or physicians, schools, clergy, battered women's shelters, attorneys, etc.

II. Batterer Referrals

Most people who batter are referred by the judicial system. These individuals will be referred to Batterer Intervention Programs that meet ICADV standards by Probation when they are convicted of domestic violence.

Individuals who come "voluntarily" to couples' counseling, stating that they are aware of the need to change the pattern of coercion and abuse usually are responding to other external motivators, such as the threat of a divorce, or attorney referrals during negotiations related to the establishment of custody and parenting time. Counselors who work with these referrals need to be aware of the possibility that coming to couples' counseling is one of many attempts to control or manipulate the "victim". The ethical principle guiding all interactions is to first do nothing that will expose the victim to harm. The victim will not leave until ready, and during this period, the counselor may provide support and education regarding domestic violence and alternatives to living in a violent situation. It may be possible to provide the family with enough information regarding patterns of Domestic Violence that the counselor may be able to make a referral for the batterer to an ICADV-approved Batterer Intervention Program.

It is vital for counselors working with families of batterers to avoid the erroneous implication that battering is caused by mental illness or chemical dependency that necessitates "mental health treatment"; this prevents the batterer from using "mental illness" and/or "substance abuse" as an excuse for the violent behaviors. When a label is necessary (e.g. for insurance reimbursement), DSM IV TR diagnoses that might be appropriate include Intermittent Explosive D/O (312.34) Impulse Control Disorder, NOS (312.30), Adjustment Reactions, and Axis II disorders.

For families of those who are court-ordered into Batterer Intervention Program, it is vital for the counselor to coordinate their efforts with criminal justice agencies such as the police, probation and parole, prosecutor's office, public defender's office, county jail, state prison, and the court. This is best facilitated by participation in local domestic violence coordinating councils where counselors coordinate with, and are accountable to

several community agencies such as battered women's services, criminal justice agencies, etc.

Counselors need to be aware of the difference between "Anger Management" and "Batterer Intervention Programs" when assessing the needs of the individuals, couples and families. Individuals who may be appropriately referred for Anger Management if the situation in which they lost control was not premeditated; occurred while under the influence of a substance; could have occurred in any setting and/or with any person; if their actions did not have a specific target, and was unpredictable. Domestic Violence is defined as the use or threat of physical, emotional, verbal, or sexual abuse with the intent of instilling fear, intimidating, and controlling behavior. DV occurs within the context of an intimate relationship and may continue after the relationship has ended. (US Department of Veterans Affairs, National Center for Posttraumatic Stress Disorder, *Domestic Violence FactSheet*). If the counselor assesses the power dynamics of the couple or family, and there is indication that either partner has engaged in premeditated physical, sexual or verbal abuse, toward an identified target, with the goal of coercion and control, it is necessary to be aware that traditional anger management will not address the issues and may increase the danger to the victim.

III. Assessment of Victims/Survivors

Counselors are likely to encounter situations of domestic violence while providing therapy for other identified family concerns, such as substance abuse, marital conflict, anger problems, depression, academic or conduct problems of children who witness domestic violence, and other similar presenting reasons for requesting services. For instance, many victims who struggle with substance abuse or depression live with violent partners. These victims may not even see their partners as abusive or may blame themselves for the abuse. It is essential that the substance abuse or mental health workers who interview any clients for treatment carefully assess the situation for domestic violence. The treatment provider must then apprise the victim/survivor of the services available in the community (e.g. emergency housing, hotlines, counseling, victim advocacy, etc).

The following are "Red Flags" that indicate the need to assess for the presence of Domestic Violence:

- A quick, whirlwind romance;
- Either partner wants to be with the other all the time, and tracks what their partner is doing and who their partner is with at all times;
- Either partner expresses jealousy any time there is a perception that the other partner is paying attention to or receiving attention from others;
- Either partner does not believe that the other can express feelings other than anger or jealousy;
- Either partner attempts to isolate the other in the guise of loving behavior (i.e. attempting to keep the partner from going to work or school, stating that the couple only needs each other, criticizing friends/family for not caring about the partner, etc.)
- Either partner is quick to blame the other for the occurrence of abuse;

- Either partner demonstrates hypersensitivity to perceived slights;
- Either partner pressures the other into doing things that are not comfortable;
- Either partner feels or seems unable to choose freely how to think, behave, etc. due to the other's efforts to control, manipulate or coerce;
- Either partner is afraid of the other partner;
- Either partner has harmed or threatened to harm the other partner, or someone the partner cares about;
- Either partner constantly worries about the other partner's mood and changes behaviors to deal with them;
- Either partner expresses fear of reprisal for expressing feelings, needs, concerns, etc.;
- Either partner constantly accuses the other of having affairs;
- Either partner controls the finances completely and the other has no say;
- Either partner threatens to kill himself/herself if the other leaves;
- Either partner demonstrates cruelty to children or animals;
- Either partner demonstrates abrupt mood changes;
- Either partner excuses abusive behaviors by claiming that it's the result of substances, alcohol, or an abusive childhood;
- Either partner has been physically violent within the last several months;
- Either partner does not experience a sense of self-control over the choice to be violent and abusive.

Counselors need to be aware that many victims or offenders of domestic violence seek couples' counseling. Although there may be benefits to providing couples' counseling or marital therapy, such work may often prove extremely dangerous to victims of domestic violence. Clinicians should question the appropriateness/safety of couples' counseling if any of the above red flags exist. If none of these conditions exist, then couples' counseling may be appropriate, but only if both partners *freely* express a desire for such counseling.

While many victims of violent crime present for treatment with mental health concerns such as depression, anxiety, substance abuse, etc., "mental illness" is not a prerequisite for being victimized, nor is mental illness an automatic consequence for such victimization. Clinicians should be careful to not over-pathologize battered partners. What appears to be maladaptive functioning in a nonviolent relationship (e.g. "codependent traits") may represent a *survival strategy* for a battered partner. Other common diagnoses that may over-pathologize a victim of domestic violence include the personality disorders (e.g., borderline, dependent, histrionic). These diagnoses wrongly imply that some character defect or mental illness (rather than someone else's criminal behaviors) has caused or perpetuates the client's victimization.

Clinicians should consider the impact of any particular diagnosis (or of giving a psychiatric diagnosis at all) on the survivor. When a label is necessary (e.g. for insurance reimbursement) the least pathologizing and least enduring labels should be used. Adjustment Reactions may be appropriate.

Posttraumatic Stress Disorder often is the most accurate and least damaging label since it identifies trauma as the precipitant for the change in functioning.

DSM IV TR includes the diagnostic category "Physical Abuse of an Adult", which uses a different code when the focus of treatment is on the person who has been abused (995.81) than when the focus is on the person who has been abusive (V61.10) It must be noted that the use of V61.10 could imply to others that the clinician is working with a "Partner Relational Problem", which minimizes the nature of the abuse.

Consultation with the local domestic violence program may precede the development of a mental health center's policy regarding diagnostic guidelines for battered partners.

IV. Treatment of Victims/Survivors

Counselors working with family members of batterers will experience a higher percentage of success if the treatment focuses on the behaviors displayed, not the labels that might retraumatize the victim. Safety and empowerment are the two most widely cited goals of treatment for victims of domestic violence. Clinicians working with these clients need to select interventions based on the potential impact on their clients' safety. For example, women who present themselves for treatment because they are trying to deal with their alcoholic partner are often "assisted" by the substance abuse counselor in giving up their "co-dependent tendencies". The goal is for her to stop over functioning so that he will stop under functioning. The intended result is greater balance in the relationship. The unintended result (when the alcoholic partner is also violent) may be further violence as the alcoholic partner punishes her for not doing what he wants, or for going to counseling in the first place.

"Co-dependency counseling" may also blame the victim/survivor for being battered in the first place, since the relationship is "co-created". Clinicians need to be clear with these clients that although it takes two to be in a relationship, it takes only one to be violent. Only the violent person is responsible for the violence.

Listening to the stories of abuse victims is at times very difficult. Clinicians understandably want the violence to end and often are eager to help the victims leave their abusive partners. What many clinicians do not realize is that battered women are at greatest risk of serious physical harm, even death, during the process of leaving. It is not clear whether the risk increases because the woman leaves (e.g., her over-invested partner panics and then retaliates) or the woman leaves because the risk has increased. It may be a combination of the two. In any event, it may literally be a fatal flaw for a clinician to encourage a battered woman to leave an abusive partner before she is ready and before she has developed a detailed and realistic safety plan.

If a woman who has been battered by her spouse chooses not to take the written safety plan home with her, it is not because she is "resistant to treatment", but rather because she may quite appropriately fear that her partner will discover it and punish her for having it.

Finally, when clinicians are in doubt about how to safely empower a victim of domestic violence, they may consult with the local battered women's program or shelter or domestic violence council (at which the battered women's shelter or program should be represented). Clinicians may also refer their clients to the shelter or program for support groups, housing, victim advocacy, etc.

V. Professional Education

Continuing education is essential for any mental health professional working with victims/survivors of domestic violence. What has been called “The Battered Women’s Movement’ is a relatively young initiative and much is yet to be learned about the dynamics, causes and effects of domestic violence – especially related to its effects on children and the extended family, secondary PTSD and referred trauma.

CEU’s may be available through local CMHC and university conferences as well as other agencies which provide training to counselors, social workers and marriage and family therapists.

Counselors may have opportunities to collaborate with and provide training to other professionals and agencies with whom they collaborate in treatment delivery. The eventual goals for the community would be as follows:

- To develop collaborative models for addressing the social and advocacy needs and the psychological needs of survivors of sexual assault, child physical and sexual abuse, dating and domestic violence, and stalking;

- To designate program and training resources to improve quality of care in public mental health systems to address trauma and its after-effects across the lifespan;

- To designate funds to provide quality mental health services for treatment of the traumatic aftermath of abuse for victims of sexual assault, child physical and sexual abuse, dating and domestic violence, stalking, including adult survivors of child sexual and physical abuse living in rural areas;

- To provide training to counselors and other agencies to address sexual assault and domestic violence for women diagnosed with serious mental illness and for women who are experiencing other mental health after-effects of sexual assault, dating and domestic violence, and stalking;

- To provide resources for sexual assault and domestic violence victim advocacy programs to provide onsite services and develop contractual arrangements with mental health providers and agencies to address the mental health after-effects of violence against women, and to foster greater collaboration between mental health professionals, sexual assault victim advocates, alcohol and other drug abuse treatment providers, and criminal justice personnel.

Counselors may be able to educate high school and middle school students re: the power dynamics related to DV, as well as provide education re: the factors correlated with the creation and maintenance of healthy interpersonal relationships.

Counselors may be able to advocate with their legislatures through individual and professional organizations re: providing insurance coverage for the treatment of issues related to domestic violence for survivors, batterers, and the children who witness DV.

HEALTHCARE SYSTEMS

Introduction

It is a role of health care systems to provide appropriate evaluation, care and intervention for all patients. Unfortunately, many of those who suffer from the emotional and physical injuries of domestic violence may be initially present as victims of such abuse. Well-trained and observant health care professionals often are the first to identify signs of such abuse, and are therefore in a position to offer potentially life-saving intervention, treatment and support.

Service Commitments

1. Provide the treatment of injuries and illness.
2. Provide and communicate a safe environment for the patient.
3. Identify a battered patient through screening and through recognition of possible indicators of abuse.
4. Offer supportive counseling information, validation of concerns and attention to safety issues after discharge.
5. Ensure proper documentation and preservation of potential evidence, including photographs as needed.
6. Provide referral information during the healthcare contact.

HOSPITAL EMERGENCY DEPARTMENT PROTOCOL

POLICY:

Domestic violence may take the form of physical, sexual, and/or psychological abuse, is generally repeated, and often escalates within relationships. Cases of domestic violence will be reported according to state law.

PROCEDURES:

Signs of possible domestic violence

1. Injuries to face, neck, throat, chest, abdomen and/or genitals
2. Evidence of sexual assault
3. Chronic pain
4. Injuries during pregnancy
5. Substantial delay between onset of injury and presentation for treatment
6. Multiple injuries in various stages of healing
7. Injury inconsistent with patient's explanation
8. Repeated use of Emergency Department
9. Evidence of alcohol or drug abuse
10. Suicidal ideation or attempts
11. Overly attentive partner or aggressive partner accompanying patient
12. Eating disorders
13. Report of self-mutilation
14. Marital discord
15. Lacerations and burns

Assessment

1. Interview patient in privacy. Questioning a patient about battering in a presence of the abuse may put patient in extreme danger.
2. Ask the patient directly if the injuries or complaints are the result of an assault by someone they know.
3. Preserve physical evidence. Refer to sexual assault policy for referral of evidence collection to Fort Wayne Sexual Assault.
4. Help the victim assess the need for immediate safety.
5. Document in patient's chart the knowledge or belief of domestic violence, and photograph (if possible) the injuries.

Reporting

1. Offer to call the law enforcement. Reporting is not mandatory unless injuries suggest that patient is at risk for life threatening physical injuries.
2. The patient must consent to release of information to law enforcement if the case does not qualify for mandatory reporting.

Make Appropriate Referrals

Documentation Forms and Consents

1. T System Physician Alleged Assault Form
2. T System Nursing Alleged Assault Form
3. Authorization to use and Disclose Protected Health Information
4. Inpatient/Outpatient Conditions of Admission and Consent to Medical Treatment

Clergy, Local Churches & Faith Communities

INTRODUCTION

Domestic violence is a problem affecting every congregation. Family members and the church are the first resources to which most victims turn. Therefore, the clergy, local churches and faith communities can uniquely impact domestic violence. This condensed document merely lists a suggested series of steps available to Wells County clergy, local churches and faith communities for helping end domestic violence. An expanded protocol with details and resources is available to the clergy, local churches and faith communities with resources from a variety of different agencies within our community.

The full protocol is divided into three components:

1. Prevention and education,
2. Guidelines for recognizing domestic violence and
3. Specific resources for counseling.

The **Wells County Domestic Violence Protocol** will deal with four specific pastoral goals.

These four pastoral goals for families experiencing domestic violence are:

1. Safety
2. Accountability with Justice
3. Repentance with Transformation
4. Restoration/Grief Recovery

You can address prevention and education through sermons, religious educational programs, fellowship groups, bulletin boards and youth activities. You can establish procedures and networks with other professionals to help victims both in the time of crisis and in rebuilding their lives. *Where it is safely possible*, you can uphold the sacredness of the marriage covenant through commitment to reconciling abusive relationships.

Alternatively, in your ignorance, you can minimize, blame and shame people in to remaining in a life-threatening situation but you can preach forgiveness without repentance and reconciliation without changed behavior.

The statistics indicate that church attending families fare no better than non-attending families. Rooted in selfishness, domestic violence occurs when an individual's desire for power and control becomes the determining *relationship factor*.

All relationships experience conflict, BUT NOT ABUSE!

The faith-based perspective is that domestic violence is wrong and is not limited to the Judeo-Christian tradition or Scriptures. In the Islamic view there are two categories of guilty people [when it comes to domestic violence within Muslim homes]. First, those who inflict the physical and mental abuse and secondly, those who try to hide the fact that abusers do exist. Domestic violence is wrong in the Islamic faith. There is no compromise to this fact.

DEFINITION

Domestic violence is defined as a pattern of coercive, manipulative behavior used for the purpose of gaining power and control over an intimate partner. It is a learned behavior. It is not a single incident. It is not only anger based. The abuse may be emotional, verbal, economic, and often, but not always, physically or sexually violent. Although the partner is the primary target, violence is often directed toward other family members, friends and even bystanders in attempts to control the partner.

One out of three women is physically or sexually assaulted by a partner at some time in their lives.

Most batterers do not choose to be abusive with co-workers, bowling buddies, or strangers – no matter how angry they may be. It is only with an intimate partner that the abuser chooses to be violent, controlling or manipulative.

Abusive tactics may include: destructive criticism, verbal attacks, claims of absolute authority, disrespect, lying, obsessive jealousy, breaking promises, withholding affection, minimizing behavior, blaming others, controlling all the money, controlling the vehicles, threatening suicide, abusing animals, destroying items you value, isolating you from family and friends, following or checking up on you, threatening to take away or get custody of the kids.

IDENTIFICATION

Identifying relationships where domestic violence is occurring can be very difficult. How can a pastor know if what is happening is domestic violence or if the situation is a display of a “messy marriage”?

Points to be considered

1. Is one partner afraid? Fear is the number one indicator. If one person is afraid for his/her safety or of any anticipated retaliation, she/he needs immediate help.
2. Has there been a pattern of controlling behaviors throughout the relationship? Controlling all decisions (e.g. money or access to family or friends) is a critical warning sign.
3. How does the offender describe the dynamics of his/her family-of origin?
As domestic violence is a learned behavior, is it often multi-generational.
4. Separate partners in counseling. Women may be fearful to be truthful. The most dangerous time for a victim is when they are preparing to leave the situation.

Following is a checklist to assist those in your congregation who may be questioning....

“HOW DO I KNOW”??? CHECKLIST

Does your partner:

- ☐ Assume the right to control how you live and behave?
- ☐ Make all the decisions?
- ☐ Force you to give up important activities or people in your life in order to keep him/her happy?
- ☐ Evaluate your opinions, feelings and accomplishments?
- ☐ Yell, threaten or withdraw into angry silence when you displease him/her?
- ☐ Shove, slap, pinch, hit, bite, punch, or spit on you?
- ☐ Threaten to kill you?
- ☐ Force you to “drop the charges”?
- ☐ Cause you to “walk on eggshells,” rehearsing what you will say so as to not set him/her off?
- ☐ Bewilder you by switching from charm to rage without warning?
- ☐ Cause you to often feel confused, off-balance or inadequate with him/her?
- ☐ Become extremely jealous and possessive?
- ☐ Blame you for everything that goes wrong in the relationship?
- ☐ Threaten to commit suicide?
- ☐ Cause to re-label unpleasantness in the relationship or make excuses for his/her behavior?
- ☐ Act like treating you poorly is no big deal, that it’s your fault or denies it?
- ☐ Have behavior that goes from angry outbursts and fights to charming and lovable times?
- ☐ Cause you to blame yourself or think you are doing something that makes everything go wrong?
- ☐ Explode over or exaggerate insignificant events making a “mountain out of a molehill?”
- ☐ Expect you to read his/her mind or to meet his/her every need without stating it using the phrase or one similar to “you should have known...”?
- ☐ Force you to assume more and more of the responsibilities of the relationship as well as the daily living matters [e.g. finances, paying bills, buying and preparing food, washing clothes, child care, home maintenance, etc.]?
- ☐ Give unrelenting criticism [e.g. bad names or put-downs]?
- ☐ Expect to be your only friend?
- ☐ Look at you in ways that scare you or your children?
- ☐ Tell you that you’re a bad parent or threaten to take your children away?

*If 2-4 of these are checked there is a potential for abuse.

*If 5+ of these are checked abuse is occurring.

Incident

- * Any type of abuse occurs

Tension Building

- * Abuse starts to get angry
- * There is a breakdown of communication
- * Victim feels the need to keep the abuser calm
- * Tension becomes too much
- * Victim feels like they are

*The cycle can happen hundreds of times in an abusive relationship. Each stage lasts a different amount of time in a relationship. The total cycle can take anywhere from a few hours to a year or more to complete.

*It is important to remember that not all domestic violence relationships fit the cycle. Often, as time goes on, the 'making-up' and 'calm' stages disappear.

*Adapted from the original concept of:

Making-Up

- * Abuser may apologize for abuse
- * Abuser may promise it will never happen again
- * Abuser may blame the abuser for causing the abuse
- * Abuser may deny abuse took place or say it was not as bad as the victim claims

Calm

- * Abuser acts like the abuse never happened
- * Physical abuse may not be taking place
- * Promises made during 'making-up' may be met
- *Victim may hope that the abuse is

REFERRING

When in doubt, err on the side of safety and caution; refer, refer, refer!

No one can determine when violence will escalate or how dangerous a situation may be – not even domestic violence professionals with years of experience. Domestic violence professionals do not expect clergy or any other group to be experts about domestic violence, just as domestic violence professionals are not expected to be faith experts. Both domestic violence professionals and clergy need to refer to the other area of expertise.

PASTORAL GOALS

1 Safety

This goal, in any form of abuse, is to ensure the safety of the victim(s). While that may be self-evident, it can be easily forgotten in attempting to resolve a complex situation. All attempts at reconciliation need to be measured against this goal.

Suggestions for increasing safety

While in a relationship:

- Hide a list of important phone numbers.
- Leave some money, car keys, clothes and copies of important documents with a safe person. (Help the victim identify a safe person).
- Carry a cell phone at all times.
- Open a savings account, but tell the bank NOT to mail a statement to your home or use a post office box.
- Rehearse an escape route from every room of your house.
- Move items that could be used as weapons as often as possible (knives to a different drawer, etc.)
- I can tell (identified safe person) and (identified safe person) about the abuse and ask them to call **911** if they hear any suspicious noises or if I ever say the code word “(help victim identify a code word or phrase)”.
- If I leave home, I can go (help victim identify several different safe places to go).

If leaving a relationship:

- Change the locks; install steel doors or a security system, smoke detectors and lots of outside lighting.
- Inform (identified safe person or neighbor) that my partner no longer lives with me and ask that they call **911** if he is seen near my home or children.

- Get a noisy dog, motion-sensitive lights and a cell phone.
- Tell babysitters, schools, scout leaders, etc. the names of those persons who have permission to pick up the children.
- Tell my employer about the situation; ask that that my calls are screened; I get escorted to my car and change my work hours.
- Change grocery store, bank branches and daily routines.
- Remember, this is the ***MOST DANGEROUS*** time for the victim(s).

Be Prepared

- Develop a safety plan
- Arrange to have a place to go
- Make copies and hide important papers
- Have important phone numbers available
- Pack and hide an overnight bag
- Arrange an emergency signal with neighbors

During an Incident

- Get out if you can
- Call for help (911)
- Avoid rooms with only one exit
- Avoid kitchen, bathroom and garage
- Trust your instincts to keep you and your children safe

Other Safety Tips

- Obtain a protective order
- Change locks & secure doors and windows
- Arrange to have someone stay with you
- Tell trusted friends and family about your situation

Personalized Safety Plan for Victims of Battery

The following steps represent my plan for increasing my safety and preparing in advance for the possibility of further violence. Although I do not have control over my partner's violence, I do have a choice about how to respond to him/her and how to best get myself and my children to safety.

Safety during a violent incident

- A. If we are going to have an argument, I can try to move to a space that is lowest risk, such as _____. (Try to avoid arguments in the bathroom, garage, kitchens, near weapons or in rooms without any access to an outside door.)
- B. If it is not safe to stay, I can _____. (Practice how to get out safely. What doors, windows, elevators, stairwells or fire escapes would you use?)
- C. I can keep my purse and car keys ready and put them _____ so that I can leave quickly.
- D. I can tell _____ and _____ about the violence and ask them to call the police if they hear suspicious noises coming from my house.
- E. I can use _____ as my code word with my friends so they can call for help.
- F. I can teach my children how to use the telephone to contact the police and fire department.
- G. If I have to leave my home, I can go _____ or _____ or _____. (Decide this even if you don't think there will be a next time.)

** Use your judgment. If the situation is very serious, give him/her what he/she wants to calm him/her down. You have to protect yourself until you (and your children) are out of danger.**

**** Always remember: YOU DESERVE BETTER THAN THIS!****

What I need to take when I leave: (Originals or copies)

I can keep these items concerning me in one location.

If I have to leave in a hurry, I can grab those items quickly.

Identification:

Identification for myself
Social security cards (Me & kids)
Birth certificate (Me & kids)
Public assistance identification
Work permits, green card, visa, etc.
Address book
School records for kids

Legal:

YOUR PROTECTIVE ORDER
Lease, rental agreement
Car registration and insurance
Health and life insurance papers
Medical records (Me & kids)
Divorce and custody papers

Financial:

Money
Credit cards

Other:

House and car keys
Medications

Checkbook
Mortgage payment book

Jewelry and objects to sell
Sentimental items
Pictures
Kids' favorite toys/blanket
Change of clothes (me & kids)

2 Accountability with Justice

Those who abuse must be held accountable – why else would they bother to stop? Abusive behavior is a successful strategy for meeting desires and it works. Attempts to minimize, deny or justify abuse both further degrade the abused partner and perpetuate the abuse. Justice acknowledges the reality and the impact of the abuser's behavior. It restores balance to a relationship that had all the power on one side and consequences on the other. Holding an abuser accountable means more than wagging a finger and saying, "No, no, no." It means holding them accountable with justice.

As a victim, YOU CANNOT PRESS CHARGES! Only the State's Prosecutor can file charges!

What happens after the arrest?

The defendant will be held at the county jail until going before the judge/Magistrate for an Initial Hearing – usually in the courthouse.

During the Initial Hearing, the charges will be read aloud; the defendant will plead either "guilty" or "not guilty".

If pleading GUILTY:

- Misdemeanor charges – may be sentenced immediately.
- Felony charges – a sentencing hearing is scheduled for a later date and a pre-sentence investigation report is ordered.

If pleading NOT GUILTY:

- If the defendant cannot afford to hire an attorney, a Public Defender will be assigned to the case.
- A bail amount will be established and conditions for release on bail will be set.
- A **NO CONTACT ORDER** will be issued as a condition of release on bail.

Once issued, the defendant may not have any contact with you – the victim – in any manner, either directly or indirectly.

Any contact will be considered a serious crime, will likely result in additional criminal charges being filed and the defendant will likely have to stay in jail until disposition of all related cases.

If the offender wishes to visit with children, arrangements must be made through an attorney and/or an approved visitation center.

- The date will be set for the first of what may be several Pre-trial Conference hearings that will be conducted. Hearings are held until a plea agreement is negotiated and accepted by the court or until the case goes to trial.

What happens if there was no arrest?

If the abuse was criminal behavior:

- If the police officers were able to establish “probable cause” but were unable to immediately locate the offender, the description of the offender will be communicated to other officers and the offender will likely be arrested as soon as possible.
- If the police officers are not sure that “probable cause” has been established, they may decide to file an incident report with the Prosecutor. The Prosecutor then reviews the evidence and may decide to request a warrant for arrest of the offender or may decide that additional evidence and investigation is needed.

If the abuse was not criminal behavior:

- If “probable cause” could not be established in order to affect an arrest, you have other legal recourse that can enhance your safety and hold the offender accountable for choosing to use abusive behavior.
- If you have been harmed or threatened with harm or stalked, you are eligible to petition the court for a

PROTECTION ORDER

- This type of order is **CIVIL**, not criminal, and **DOES NOT** create a criminal record or result in jail time unless it is violated.
- An emergency (*ex parte*) Protection Order can often be issued **THE SAME DAY** it is requested.
- You **DO NOT** need an attorney to get a Protection Order.
- There is **NO COST** to get a Protection Order.

3 Repentance with Transformation

Pastors seek true repentance manifested in transformed lives. In Christ, we become new creations, repenting and beginning again. Repentance, though, is more than saying “I’m sorry” or promising “it will never happen again” – even when sincere. Repentance is doing

the difficult work over a period of time to change attitudes and behaviors, turning from sin. In order to uphold the first goal of safety, true and lasting repentance must be demonstrated.

Refer to Matthew 3:8; “Produce fruit in keeping with repentance.”

4 Restoration/Grief Recovery

Pastors, as other helping professionals, long to see restoration of the marriage relationship. The earlier the abuser is held accountable in the downward spiral of abuse, the more likely that restoration is possible. Over and over again, God allows us back into our covenant relationship with Him. But there are significant differences between our covenants with God and with each other before God. For example, we cannot kill Christ again.

Renewing a broken covenant is an option, but NOT a requirement. It takes place at the invitation of the one who held true to the original covenant. In those cases where the abuser is unwilling to change, unable to change or renew their covenant, the abused experiences grief. Pastors and congregations can be of great support in this situation.

INTERVENTION

Telephone Crisis Calls

If you receive a call from a victim who has just been beaten and is asking for help:

1. First ask if she/he is safe. Offer to call the police for her/him if they are needed.
(See “Who to call List)
2. Do not go to the home. The violence may still be occurring and could be dangerous to you, her/him or the children [if children are involved].
3. Ask if the violence is over and how she/he is doing.
 - Does she/he need medical attention?
 - Does she/he fear the abuser will return?
 - Where are the children [if children are involved]?
 - Does she/he have somewhere safe to go?
 - Does she/he have a means of travel?
4. After asking her/him questions such as these, determine if she/he needs to go to a shelter as the best option. If so, give her/him the contact information and encourage her/him to get a hold of one of the following shelters.

Adams Wells Crisis Shelter (877) 728-9800

YWCA Domestic Violence Services (800) 441-4073

5. Encourage her/him to make contact with the local domestic violence crisis center. Most domestic violence programs, in an effort to empower a woman to take responsibility for her safety and her other needs, prefer a victim to call for help directly. Strongly encourage her to do so.

Couples Requesting Counseling

1. If you are unsure if domestic violence is occurring, schedule appointments to initially interview them separately.
2. If violent episodes have occurred within the relationship, it is strongly recommended that you refer the couple to a domestic violence program or counselor trained in domestic violence situations. In all cases, each partner should be referred to separate counselors or group situation for victims and abusers. The victim's goal should be to take responsibility for her/his safety needs. The abusers goal should be to take responsibility for his/her violent behavior and abstaining from the behavior.

The success rate for treating violent relationships in couple counseling is extremely low. If a couple comes for counseling because of episodes of violence, recognize that this visit rarely occurs without pressure from civic authorities or threats from the relatives.

Occasionally the victim has compelled the abuser to go to couples counseling by stating that she/he will not see him/her under any other circumstances. In this case, you will be a third party to their "visitation" and have little room for counseling interventions.

Most abusers are looking for easy, quick solutions and for immediate ways of getting back together with their partner-victim. Most victims do not want to separate from or leave their partner-abuser and wish to believe that if they confront the abuser in the presence of a third party [e.g. counselor or pastor], the abuser will be forced or embarrassed into changing his/her behavior. Unfortunately, this rarely happens. Even more importantly, many abused women who attend couples counseling are physically punished [sometimes fatally] by their partner for what they shared during the counseling session. *Abuse, including physical, occurs even during the counseling session!* And, not even the most talented counselors can protect an abused spouse from the abuse that often occurs between sessions.

A goal for clergy is to recognize their limitations and be certain not to undertake dangerous work for which they are not prepared. Yearly training on identifying/awareness/support will be offered to all Wells County Clergies and staff. Individuals can become trained in resources, signs, and support of the local domestic violence programs and how to help their congregations.

Assisting Abused Women

The response of clergy and laity to the religious crisis caused by domestic violence can be a great resource for victims. The following guidelines may prove helpful; however, be aware that the life of the victim may be in danger and that safety is the primary concern.

1. You are in a unique position to relate and minister to all parties. This pastoral relationship needs to be preserved.
2. It can be very hard for victims to talk about issues of abuse with the opposite gender.
3. Confidentiality is crucial.
4. Do not disclose information about the victim to the abuser.
5. Listen empathically.
6. Validate feelings and affirm victim's courageous act of coming to you.
7. Be direct and ask the question.
8. Counsel the abused without physical touch.
9. Beware of forgiveness [by the abused] without repentance [of the abuser].
*The abused should always forgive but not be reunited with abuser unless both forgiveness and repentance (expressed and shown over a period of time) occur.
10. Know your limits.
11. Be aware of your emotional reactions.
12. Believe the victim!
13. Unequivocally denounce the violence.
14. Be sure victims know they are not alone.
15. Affirm the victim's faith no matter where she/he stands theologically.
16. Offer the victim alternatives from which to choose and faith options in the search for wholeness.

17. Quote Scripture that addresses victim safety, well-being and empowerment.
18. Encourage victim to contact the domestic violence program in the area.
19. Help victim find a safe place.
20. Ask about and confront any child abuse.
21. “Duty to Warn” laws may require that you report threats of harm to self or others.
22. Help victim develop resources [financial and otherwise].
23. Support victim in the decision to act or not act.
24. Be with victim in suffering and healing.
25. Need of support in place of therapy.
26. Do not suggest couples or marriage therapy.
27. Utilize the power of the faith community [local churches/organizations].

Should One Clergy Counsel Both the Victim and the Abuser?

Consider whether it would be a conflict to work with both. It may be appropriate to refer the second party if you already work with the first party. There is a dangerous potential if the two should come into contact through counseling [especially if there is a protective order in place]. Help protect the victim from further violence.

Women Abusers

In the 2% of cases in which women abuse men, the guidelines would also apply to the male victims with slight modifications.

Abuse in Same-Sex Relationships

Abuse also occurs in same-sex relationships. The dynamics of the abuse are similar. These guidelines apply in principle as well. Victims in same-sex relationships may have more difficulty asking for and receiving assistance.

Working with Men who Abuse

1. There is no short-term solution to what may be a life of violence.
2. Do not confront the abuser about what the victim has said, even if the abuser asks.
3. Invite the abuser to accept responsibility.
4. Acknowledge the courage to disclose.
5. Avoid enduring labels.
6. Reinforce abuser concern or love of family.
7. Validate feelings, not behaviors.
8. Challenge excuses.
9. Redefine strength, power and control.
10. Listen for all-for-none thinking.
11. Identify exceptions to the problem.
12. Confront references to Scripture which “justify” the use of violence.

Children are affected, too!

Kids always know

- When a mother is abused, her children see it, hear it and sense it.
- When a mother is abused, her children feel confused, stress and fear.
- When a mother is abused, her children believe they are the cause of the violence.

Kids are always affected.

- 40-70% of men who abuse women ALSO abuse their children.
- Children exposed to domestic abuse suffer emotional, behavioral, physical, social and learning development problems.
- Children exposed to domestic violence commit suicide at a rate of **600%** higher than other children, especially teenagers.

We CAN show our children that they don't have to live in fear
and that a home should be a safe place for everyone!

Partnership with Service Providers

Domestic violence programs and their staff receive special training and education for their work with the large numbers of victims and perpetrators. They are skilled and experienced with handling the complicated and difficult issues of domestic violence. Clergy should develop a partnership with them, possibly through active participation with/on domestic violence coordinating councils and informal networking opportunities. The program staff could support the clergy's ongoing pastoral care of victims, their families and relatives and the congregation. Clergy could support the domestic violence programs' ongoing efforts to provide safety, legal resources, counseling and support.

Addressing Spiritual Abuse

Spiritual abuse is but one set of tactics with which one partner can harm another. However, these tactics can inflict considerable harm upon one's spiritual being. It is helpful for clergy to be alert to some of the most common examples. A partial list of behaviors that victims may experience as abusive includes the following.

1. Citing Scripture to justify abusive, dominating and oppressive behavior.
2. Denying one's partner the freedom to practice the religion of their choice.
3. Forcing one's partner to violate religious beliefs [e.g. forcing an Orthodox Jew to eat non-kosher food).
4. Shaming or belittling one's partner for her religious practices.
5. Humiliating the victim in the church so as to isolate them from the support of the clergy and the congregation.
6. Making oppressive demands based on interpretation of Scriptures or religious material. For example, "the Bible says you need to obey me because you're my wife."
7. Instilling religious guilt for not doing what the abuser wants of the victim. For example, "how can you call yourself a Christian if you don't forgive me for my mistakes?"
8. Demanding and/or forcing sex out of a sense of marital entitlement or "religious contract."
9. Involving or forcing children to witness ritual abuse. For example pet sacrifice.

Some Scriptures that can be used to confront abusive behavior or provide balance in interpreting the role of men and women are as follows.

Psalm 11:5 – “The LORD examines the righteous, but the wicked and those who love violence his soul hates.”

Proverbs 28:13 – “He who conceals his sins does not prosper, but whoever confesses and renounces them finds mercy.”

Jonah 3:8b – “Let everyone call urgently on God. Let them give up their evil ways and their violence.”

Proverbs 29:11 – “A fool gives full vent to his anger, but a wise man keeps himself under control.”

Ephesians 4:26-27 – “In your anger do not sin. Do not let the sun go down while you are still angry, and do not give the devil a foothold.”

James 1:19-20 – “My dear brothers, take note of this: Everyone should be quick to listen, slow to speak and slow to become angry, for man’s anger does not bring about the righteous life that God desires.”

PREVENTION AND EDUCATION WITHIN THE CHURCH

Making Information Available

Victims need to be able to obtain information about available help while remaining safe from their abuser. To help them through this, use the following tips:

1. Make information and materials available so that it may be discreetly accessed.
2. Post domestic violence crisis phone numbers in men’s and women’s restrooms so victims can write them down without being observed.
3. Publicize conferences, display pamphlets in tract racks and information on bulletin boards to make domestic violence a visible issue.
4. Put up a special bulletin board in October for Domestic Violence Awareness Month.
5. Post pamphlets, posters, and information on local programs which are available. Some are also part of the Wells County emergency kit available to all congregations. This kit contains display material and resources to use in assisting in a domestic violence emergency. (Establish a packet of information for Wells County Clergy)

Talking about Domestic Violence (when to discuss the topic within a church)

1. During significant life changes/passages. For example, marriage, a new baby, full church membership, with the start of dating youth, when moving away from home, with pregnancy, when empty nesting or before/around death.
2. During premarital counseling.
3. With new members.
4. In church educational programs.
5. Through education of key congregational members.

TAKING A STAND

People look to pastors and the church for understanding the appropriate roles of husband and wife. They also look to pastors for proper understanding of Scriptural passages in dealing with marital relationships.

Preach It – either as the topic of a sermon on a specified Sunday or through illustrations used in regular services throughout the year.

Pray It – in ways and times that respect confidentiality, uphold those who suffer, and call those who abuse to repent.

Condemn It – propose a resolution passed by the congregation condemning domestic violence of all kinds.

Encourage your members to join with others to support your local domestic violence shelter, and to participate in awareness activities within the community.

Participate in a yearly training program for clergy to learn about domestic violence and gain awareness/education/prevention/and intervention support.

Domestic violence causes far more pain than the visible marks of bruises and scars. It is devastating to be abused by someone that you love and think loves you in return. It is estimated that approximately 3 million incidents of domestic violence are reported each year in the United States.

How many of those sitting in your congregation are dealing with domestic violence?
And do you know what to do when he/she comes to you for help?

This protocol has been established to help you lead your congregation and those who come to you for help towards healing and restoration.

Victim Advocates

Local Victims Services

Three programs within Northeast Indiana provide services to victims of domestic violence in Wells County. All services are certified by the Indiana Coalition against Domestic Violence and follow essential procedures to assist victims that are living in domestic violence or have experienced domestic violence.

The domestic violence programs will assist families as they make decisions about staying or leaving an abusive situation. All services provide emotional support and are confidential. Please see below, the following services available to victims of domestic violence, which includes information, referrals, and ongoing education. Please contact a program below to find out more details or call the phone numbers listed to talk to someone that will listen. Hotline #'s are also provided below and can connect you to programs twenty four hours a day.

Victim Service Providers:

Adams Wells Crisis Center Crisis Line 1-877-728-9800 www.awcc.embarqspace.com
Program is available to assist victims 24 hours a day. Provides comprehensive residential services including shelter, meals, crisis intervention, case management services, and emergency transportation.

Center for Nonviolence, Inc. (260) 456-4112 www.centerfornv.org
The Center for Nonviolence provides education, support and advocacy to end domestic and other forms of violence while modeling equality and power sharing. Women's Support and Education Groups are available for those healing from abusive relationships. Groups are offered at the Center and in Bluffton, IN. Free of charge and are voluntary. Childcare is provided for ages 0-12yrs. For more information on victim services, women's programming, and youth education or to inquire about the certified Batterer's Intervention Program please contact the Center for Nonviolence, Inc.

YWCA Northeast Indiana 1-800-441-4073 www.ywca.org/fortwayne

The YWCA Northeast Indiana provides shelter as well as community based case management for victims of domestic violence. Services are available twenty four hours a day. Community case managers are available to assist victims with resources including assistance navigating legal resources, education and safety planning, transportation, and crisis intervention. All programs are free to clients. Please call the twenty four hour crisis line to be connected with programs.

Workplace

Employers shall make every effort to ensure a safe work environment for employees who are victims of domestic violence. All information regarding a domestic violence situation disclosed to an administrative staff person will be kept confidential. Employer will not hold the victim responsible or the abusers harassment at the workplace, but will take any steps necessary to keep the abuser from continued harassment of the employee during work hours and while on the premises.

Employers should consider not hiring any new employee with a history of perpetrating domestic violence including (but not limited to): reports filed with a law enforcement agency, arrest made or convictions related to family violence, domestic battery, child abuse, stalking, rape, battery and assault.

All current employees must notify their supervisor immediately of any reports, arrests, or convictions naming them as a perpetrator of the above charges. Employers may require the accused to participate in a batterers program, abide by all court orders and not commit any new offence depending on charges. Employers also reserve the right to terminate the employee if found guilty.

Employers should have zero tolerance towards abusive language and behaviors. At no time should property of the employer be used to commit any acts of violence or harassment on or off site. This would be subject to legal action and/or termination.

Directory

	<u>Phone</u>	<u>Address</u>
<u>Law Enforcement</u>		
Bluffton Police	260-824-3320	204 E. Market St, Bluffton
Wells County Sherriff Dept.	260-824-3426	1615 Western Ave, Bluffton
Ossian Police Dept.	260-622-7519	507 N. Jefferson St, Ossian
Markle Police Dept.	260-758-2225	155 West Sparks St, Markle
Zanesville Police Dept.	260-638-4080	17736 Wayne St, Zanesville
Indiana State Police- Fort Wayne Post	260-432-8661	5811 Ellison Rd, Fort Wayne
<u>Prosecutor</u>		
Prosecutor	260-824-4102	102 W. Market St, Bluffton
Victim's Assistant	260-824-6558	102 W. Market St, Bluffton
<u>Probation</u>		
Probation Department	260-824-6496	102 W. Market St, Bluffton
<u>Education</u>		
<u>Northern Wells Schools- (Contact Guidance Office)</u>		
Ossian Elementary	260-622-4178	213 S Jefferson St, Ossian
Lancaster Elementary	260-565-3135	3275 E 300 N, Bluffton
Northern Wells Middle School	260-543-2218	1100 E. US 224, Ossian
Northern Wells High School	260-543-2213	1100 E. US 224, Ossian
<u>Bluffton MSD Schools- (Contact Guidance Office)</u>		
Bluffton Elementary School	260-824-0333	1100 E. Spring St, Bluffton
Bluffton Middle School	260-824-3536	1500 S. Stogdill Rd, Bluffton
Bluffton High School	260-824-3724	1 Tiger Trail, Bluffton
<u>Southern Wells Schools- (Contact Guidance Office)</u>		
Southern Wells Elementary School	765-728-2121	9120 S. 300 W., Poneto
Southern Wells Junior/Senior High	765-728-5534	9120 S. 300 W., Poneto
<u>Private Schools</u>		
Covenant Christian School	260-824-1203	3550 S. SR 1, Bluffton
Bethlehem Lutheran School	260-597-7366	7545 N. 650 E., Ossian
<u>Social Services</u>		
Adams Wells Crisis Center	260-728-9800	
Center For Non-Violence	260-456-4112	235 Creighton Ave, Fort Wayne
Department of Children's Services	260-824-3530	221 W. Market St, Bluffton
Family Centered Services	260-824-8574	123 S. Marion St, Bluffton
YWCA	260-424-4908	2000 N. Wells St, Fort Wayne

<u>Mental Health</u>		
Park Center (Community Mental Health Center Center)	260-824-1071	1115 S. Main St, Bluffton
<u>Health Care</u>		
Bluffton Regional Hospital	260-824-3210	303 S. Main St, Bluffton
Caylor Nickel Clinic	260-824-3500	1 Caylor Nickel Square, Bluffton
Bluffton Regional Hospital	260-824-3210	303 S. Main St, Bluffton
Markle Medical Center	260-824-0800	100 W. Horton St, Bluffton
Panos Free Clinic	260-824-3599	1203 Wayne St, Bluffton
<u>Faith Based Services</u>		
Abundant Life Christian Center	260-824-2000	1409 South Main Street, Bluffton
Apostolic Christian Church	260-565-3880	1970 S 800 E., Bluffton
Apostolic Christian Church- North	260-565-3810	630 E. Dustman Rd, Bluffton
Bethel Church	260-824-4547	4500 E. 300 S, Bluffton
Bethlehem Lutheran Church	260-597-7121	6514 750 N, Ossian
Bluffton Chapel CCCU	260-824-1669	2450 SE SR 116, Bluffton
Bluffton Church of God	260-824-8202	327 W. Cherry St, Bluffton
Bluffton Wesleyan Chapel	260-824-4431	410 W. Cherry St, Bluffton
Boehmer United Methodist Church	260-694-6250	3467 S. 600 W, Liberty Center
Calvary Lutheran Church	260-824-0177	1532 N. Main St, Bluffton
Church of Christ		735 S. Marion Street, Bluffton
Community Christian Church	260-824-3903	1309 W. Washington, Bluffton
Covenant Chapel	260-824-8310	3550 S. St RD 1, Bluffton
Domestic Church of Christ	260-346-2213	7063 East 900 South -90, Geneva
Epworth United Methodist Church	260-824-5510	1204 W. Cherry St, Bluffton
Faith Fellowship		5789 North 600 East, Craigville
Fellowship Baptist Church	260-565-4141	210 W. Townley, Bluffton
First Baptist Church	260-824-1558	202 W. Cherry St, Bluffton
First Church of Christ	260-824-0332	909 W. Spring St, Bluffton
First Church of the Nazarene	260-824-0460	1515 Clark Ave, Bluffton
First Presbyterian Church- Bluffton	260-824-0767	215 E. Dustman Rd, Bluffton
First Presbyterian Church- Ossian	260-622-4288	123 S. Jefferson St, Ossian
First United Methodist Church	260-824-2654	325 W. Washington St, Bluffton
First Reformed Church of Bluffton	260-824-3161	301 W. Cherry St, Bluffton
The Fountain Community Church		1515 N. Sutton Circle, Bluffton
Grace Baptist Church	260-824-4660	Stogdill Rd, Bluffton
Hope Missionary Church	260-824-1844	429 E. Dustman Rd, Bluffton
Jehovah's Witness Kingdom Hall	260-824-4115	2803 N SR 1, Bluffton
Keystone United Methodist		10035 S 200 W, Keystone
King's Highway Tabernacle	260-824-1986	1224 W. Central Ave, Bluffton
Lancaster Chapel United Methodist	260-565-3536	4510 East 400 North, Craigville
Liberty Center United Methodist	260-694-6363	P.O. Box 226, Liberty Center
Liberty Center Baptist Church	260-694-6622	3071 W. Cherry St, Bluffton
Life Community Church	260-824-2252	428 S. Oak St, Bluffton

Living Water United Methodist	260-334-5318	6486 S 700 E, Bluffton
Mulberry St. Wesleyan Church	260-824-1564	917 S. Mulberry, St, Bluffton
Murray Missionary	260-824-0113	1117 North Washington, Bluffton
New Beginning Church	260-694-6577	2187 W. SR 218, Bluffton
New Hope Lutheran	260-622-7954	8824 N. St. Road 1, Ossian
Ossian United Methodist	260-622-4326	201 West Mill St, Ossian
Ossian Church of the Nazarene	260-622-7449	302 North Metts St, Ossian
Park United Brethren	260-824-0887	617 S. Bennett, St, Bluffton
Petroleum United Methodist	260-346-2926	3625 E. 2 nd St, Petroleum
Poneto Baptist Church	260-726-9887	5819 S. Grape St, Poneto
Poneto United Methodist	260-694-6600	36 East Walnut St, Poneto
Prospect United Methodist	260-592-7773	PO Box 4, Uniondale
Six Mile	260-824-2263	4790 SE. St. Rd 116, Bluffton
Sonlight Wesleyan Church	260-824-0068	2350 S. SR 1, Bluffton
Southern Wells Community Church	765-728-2154	628 W. Huntington St, Montpelier
St. John United Church of Christ	260-565-3678	2771 SE Mulberry St, Vera Cruz
St. Joseph Catholic Church	260-824-1380	1300 N. Main St, Bluffton
St. Marks Lutheran	260-543-2245	5912 N. Sugar Street, Uniondale
St. Paul's Lutheran	260-543-2889	1621 West 300 North, Bluffton
Trinity Bible Methodist		5875 East North Street, Tocsin
Uniondale United Methodist	260-543-2256	5867 N. Main Street, Uniondale
Uniontown Church of Christ	260-638-4020	11419 N. 200 W., Ossian
Zanesville First Church of God	260-638-4239	11984 N. Marzane Rd, Zanesville
Zanesville United Brethren in Christ	260-638-4220	3092 West Broadway, Zanesville
<u>Other Services</u>		
VINE SERVICES	866-959-VINE	
Attorney General Address Confidentiality	800-321-1907	

Appendix

NOTICE OF VICTIMS RIGHTS

Effective 7-1-02, IC35-33-1-1.5 requires a law enforcement officer responding to the scene of a crime involving domestic or family violence to give the victim immediate and written notice of the following rights provided by law under IC 35-40.

1. A victim has the right to be treated with fairness, dignity, and respect throughout the criminal justice process
2. A victim has the right to be informed, upon request, when a person who is accused or convicted of committing a crime perpetrated directly against the victim, is released from custody or has escaped. This includes release or escape from mental health facilities.
3. A victim has the right to have the victim's safety considered in determining release from custody of a person accused of committing a crime against the victim.
4. A victim has the right to information, upon request, about the disposition of the criminal case involving the victim or the conviction, sentence, and release of a person accused of committing a crime against the victim.
5. A victim has the right to be heard at any proceeding involving sentence or a post-conviction release decision. A victim's right to be heard may be exercised, at the victim's discretion, through an oral or written statement, or submission of a statement through audiotape or videotape.
6. A victim has the right to make an oral or written statement for use in preparation of the pre-sentence report. The victim also had the right to read pre-sentence reports relating to the crime committed against the victim in order that the victim can respond to the pre-sentence report.
7. A victim has the right to confer with a representative of the prosecuting attorney's office after a crime allegedly committed against the victim has been charged; before the trial of a crime allegedly committed against the victim; and before any disposition of a criminal case involving the victim. This right applies in the following situations:
 - The alleged felony was directly committed against the victim.
 - The alleged felony or misdemeanor was an offense against the person, which includes the crimes of Battery, Domestic Battery, Aggravated Battery, Battery by Body Waste, Criminal Recklessness, Intimidation, Harassment, Invasion of Privacy, or Pointing a Firearm, and the alleged felony or misdemeanor was committed against the victim by a person who:
 - a. or was a spouse of the victim;
 - b. is or was living as if a spouse of the victim;
 - c. has a child in common with the victim.
 - For other misdemeanors, a victim must file a request for notice, which includes a current telephone and address.
8. A victim had the right to pursue an order of restitution and other civil remedies against the person convicted of a crime against the victim.
9. A victim has the right to be informed of the victim's constitutional and statutory rights.

Introduction to Primary Prevention — ICADV

At ICADV we reject the notion that domestic violence is inevitable. We believe that domestic violence is a choice and we are committed to getting in front of the problem to change the social conditions that tolerate or encourage these forms of abuse. We believe that because some people (largely male) *choose* to perpetrate domestic violence, that it is possible for them to choose not to perpetrate. The processes around decision making for any individual are complex and result from a variety of influences from their personal experience and their social environment, but the choice to perpetrate domestic violence begins with the existence of the option to be abusive within our relationships. The option to abuse is expressed in our social environments in many different ways. Preventing violence involves not only working with individuals who perpetrate to make different decisions, but primarily focuses on creating change at the cultural level to make the option of domestic violence less likely or (ultimately) not possible.

What are we preventing?

Domestic violence programs have used the Duluth power and control wheel to educate about the comprehensive system of behaviors that abusers use to establish control in intimate relationships for three decades. In spite of this, many community interventions around domestic violence are only set up to be responsive to acts of physical violence. We believe that any prevention strategy that addresses physical acts of violence but leaves the victim vulnerable to emotional, economic, psychological or sexual abuse is incomplete. In framing our prevention work, we seek to address the entire range of abusive behaviors that abusers use to gain and maintain power and control.

What is Primary Prevention?

The Prevention Institute defines prevention as a systematic process that promotes safe and healthy environments and behaviors, reducing the likelihood or frequency of an incident, injury or condition occurring (2007). Primary prevention is the terminology that the public health community uses to describe interventions designed to prevent **first time** perpetration or victimization. Primary prevention strategy focuses on reducing factors that put an individual at risk for perpetration and by promoting factors that protect an individual from victimization.

Because the application of primary prevention strategy to intimate partner violence is fairly new nationally, there is not yet a significant research base describing best practices in this work. However, principles of effective prevention have been identified in other public health initiatives. Successful prevention initiatives incorporate as many of these strategies as they reasonably can. The Virginia Sexual and Domestic Violence Action Alliance (2009) has adapted this list for intimate partner and sexual violence:

- Develop prevention strategies that promote protective factors.
- Develop prevention strategies that strive to be comprehensive.
- Develop prevention strategies that are concentrated, and can be sustained and expanded over time.

- Develop prevention strategies that use varied teaching methods to address multiple learning processes.
- Develop prevention programs based on purposeful, logical rationale.
- Develop prevention strategies that are developmentally appropriate.
- Develop prevention strategies in collaboration with a representative cross-section of community members to incorporate diverse cultural beliefs, practices, and community norms.
- Develop prevention strategies that include a systematic method to determine program effectiveness and promote continuous quality improvement.

To be effective, prevention efforts must be as comprehensive as the elements of culture that support domestic violence. A campaign that pursues a single strategy in isolation probably won't be effective in changing a perpetrator's behavior and therefore, doesn't constitute effective primary prevention. For more information about determining prevention strategy, see the Texas Association Against Sexual Assault's strategy selection workbook at: <http://www.taasa.org/prevention/pdfs/StrategySelectionWorkbook.pdf>

How is this different from the prevention work that we have done in the past?

Past prevention efforts have mostly focused on raising awareness among the general public about domestic violence and providing potential victims with information about how they might reduce their risk of being victimized. Traditionally, prevention efforts have been delivered to targeted groups within the broader population; programs have been designed for those groups perceived to be at increased risk for perpetration or victimization. In addition, programs have been implemented to try to intervene early with perpetrators to prevent repeat episodes of abusive behavior.

All of these prevention strategies take place in a context where perpetration is present. Better described as risk reduction, these strategies are designed to teach individuals how to avoid or manage their experience of violence and abuse. If displayed on a timeline, primary prevention would take place earlier than the customary prevention strategies described above.

Primary

Secondary

Tertiary

"Prior To"

Primary prevention includes initiatives that precede perpetration or victimization that seek to enhance protective factors and modify or eliminate risk factors.

"In the Thick"

Secondary prevention includes initiatives designed to intervene in the context of violence. E.g., shelter, arrest, medical care.

"Aftermath"

Tertiary prevention includes services designed to provide therapeutic support for survivors or rehabilitation for perpetrators: Batter intervention programs, probation, counseling programs and support groups.

Rather than trying to help individuals navigate a context of perpetration, primary prevention strategies

give us the opportunity to truly get in front of the problem by changing the social conditions that enable domestic violence.

Why enhance strategy?

Current strategies for responding to domestic violence are insufficient to change the problem.

- Though providing supportive services for victims and mandating rehabilitative interventions for perpetrators are essential components of a community's response to domestic violence, these strategies have not resulted in a reduction of rates of domestic violence in the United States over the past thirty years.
- Risk reduction strategies may or may not be effective in protecting an individual, but they do not prevent abusers from using violence, thus potentially relocating, but not preventing violence.
- Awareness raising activities alone have not been shown to change abusive behaviors.

Advocacy for broader social change is where the movement began.

Domestic violence programs have served communities in Indiana since the 1970s. The goal of these programs has been to provide excellent supportive services to victims while working to render those services unnecessary by eliminating domestic violence. Early, grassroots domestic violence advocates worked to bring attention to the inequities between people (in the case of domestic violence, most typically inequity based on gender) understood to enable abuse in intimate relationships. Insufficient funding for domestic violence work has necessarily narrowed the scope of that work over time to a focus on services for victims. In a context where shelter staffs work at capacity just to keep the doors open and meet the needs of victims, the social change goal was pushed to the margins of the movement. The Delta project administered by the Centers for Disease Control and Prevention seeks to restore balance to the mission by providing funding for prevention without compromising support for the healing interventions that programs provide for survivors.

Who should be involved in Primary Prevention?

Everyone. Primary prevention seeks to promote healthy relationships with a universal audience. In the past, awareness raising campaigns were targeted at individuals thought to be at increased risk for perpetration or victimization. Because we live in a culture where differences based on sex, race, class, orientation, ability and other traits traditionally used as a basis for discrimination, inequality between groups supports the privilege of some and the marginalization of others. This **does not** mean that all of those in traditionally privileged groups will perpetrate violence or that all of those in marginalized groups will be victims of violence. What it **does** mean is that domestic violence is a problem for all of us, and each of us has opportunities to work for prevention. Communicating effectively with diverse groups and communities will require a range of messages and messengers, but we should seek to engage all of us in the conversation.

INSTRUCTIONS FOR PETITION FOR ORDER OF PROTECTION—FILED BY PERSON SEEKING PROTECTION

Under the Indiana Civil Protection Order Act (IC 34-26-5), courts can issue orders to protect people from domestic or family violence, stalking, or a sex offense. These court orders are called “Orders for Protection”. There are 2 kinds of Orders for Protection—an Ex Parte Order for Protection, which is issued without a hearing, and an Order for Protection Issued After a Hearing. Orders for Protection normally last 2 years, unless the Judge decides on a different duration.

The person asking for the Order is called the “Petitioner.” The Petitioner needs to file a Petition in a court of record, against the other person, called the “Respondent.” There are 2 different kinds of Petitions a person can file: one kind allows a person to seek protection for himself or herself, and another kind allows a Petitioner to ask for protection on behalf of a child. This Instruction booklet explains how to fill out forms for a case in which the Petitioner is seeking protection for himself or herself, *not* on behalf of a child. If you want to apply for an Order for Protection on behalf of a child, please ask the Clerk of the Court for the proper Instruction booklet and Petition.

IMPORTANT NOTICE: In order to file a case, you *must* have the Respondent’s:

- **Correct name;**
- **Correct date of birth *or* Social Security number;**
and,
- **Correct, current address.**

This Instruction booklet explains how to fill out the Petition and Confidential Form. It also contains some Instructions for Respondents. These Instructions cannot cover all of the problems and questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see an attorney.

GENERAL INFORMATION

Who can get a court order under this law?

The Indiana Civil Protection Order Act was passed to promote the protection and safety of all victims of domestic or family violence, sexual assault, and stalking, and to prevent future violence against such victims. In order to apply for protection under this law, a **Petitioner** needs to have been a victim of:

- **Domestic or family violence;**
- **Stalking;** or,
- **A sex offense.**

“Domestic or family violence” means one or more of the following acts was committed by a **family or household member**:

1. *attempting to cause, threatening to cause, or actually causing physical harm to another family or household member;*
2. *placing a family or household member in fear of physical harm;*
3. *causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress—in other words, forcing someone to engage in a sexual act against the person’s will; and,*
4. *stalking and sex offenses are included in this definition.*

The **Respondent** must be either a:

- **Family or household member** of the Petitioner; or,
- Person who has committed stalking or a sex offense against the Petitioner.

A **“family or household member”** is someone who has one of these kinds of relationships with the Petitioner:

- The Petitioner and Respondent are now married to each other, or used to be married to each other (“current or former spouse”);
- The Petitioner and Respondent are now dating each other, or used to date each other;
- The Petitioner and the Respondent are now engaged in a sexual relationship with each other, or used to be in a sexual relationship with each other;
- The Petitioner and the Respondent have a child in common;
- The Petitioner and the Respondent are related by blood or adoption (for example, they are a brother and sister with the same parents);
- The Petitioner and the Respondent are now related to each other by marriage, or used to be related to each other by marriage (for example, they are a step-brother and a step-sister);
- The Petitioner and the Respondent are now, or used to be, in one of these kinds of relationships:
 - One of them was the other’s guardian;

- One of them was the other's ward;
- One of them was the other's custodian;
- One of them was the other's foster parent; or,
- A similar relationship.
- Finally, a "family or household member" could mean a minor child (under age 18) of a person in one of the kinds of relationships described above.

"Stalking" is defined by Indiana law (IC 35-45-10-1) as: "A knowing or intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened." The term "course of conduct" means 2 or more incidents.

As used in the stalking law, **"harassment"** means: "Conduct directed toward a victim that includes but is not limited to repeated or continuing **impermissible contact** that would cause a reasonable person to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include statutorily or constitutionally protected activity, such as lawful picketing pursuant to labor disputes or lawful employer-related activities pursuant to labor disputes."

As used in the stalking law, **"impermissible contact"** includes (but is not limited to): "Knowingly or intentionally following or pursuing the victim."

A **"sex offense"** means one of the following crimes under Indiana law (IC 35-42-4):

- Rape;
- Criminal deviate conduct;
- Child molesting;
- Child exploitation;
- Vicarious sexual gratification;
- Child solicitation;
- Child seduction;
- Sexual battery; or,
- Sexual misconduct with a minor.

In order for a person to ask for an Order for Protection because he or she was a victim of stalking or a sex offense, it is not necessary for criminal charges to actually be filed. However, a victim of one of these kinds of crimes should always seek help from the police or sheriff and the prosecutor.

Are a Petitioner's family or household members covered by an Order for Protection?

Yes, as long as each person's name is listed on the Petition in Paragraph 9 and is listed on the Confidential Form.

What if a Petitioner needs an Order for Protection against more than 1 Respondent?

The Petitioner should tell the Clerk how many Respondents he or she is filing against. The Clerk has to create a new and different court case for each Respondent—there can be only one Respondent per case. So, make sure the Petitioner has the correct number of Petitions, Confidential Forms, etc.

What if the Respondent is a juvenile?

If the Respondent is under 18 and still lives at home (is not “emancipated”), any court of record can hear the Petition. If a hearing is set, the case may be transferred to juvenile court.

What do you need to get the Order for Protection or to object to one?

You will need to get the correct forms from the Clerk of the court, or from this Web site:

<http://www.in.gov/judiciary/forms/po.html>

What forms must be used for this kind of case?

Here is a list of some of the different kinds of forms in a protective order case and the function of each form. If you want a complete list, ask the Clerk or go to the Web site.

1. *Petition for an Order for Protection and Request for a Hearing—Filed by Person Seeking Petition (“Petition”)*—this is the form used by the Petitioner to ask the Judge to issue an Order for Protection and also to ask for a hearing, if a hearing is required by law. The Petitioner uses this form to explain to the Judge why the Petitioner needs an Order for Protection, to describe what happened, and to list every kind of relief the Petitioner is asking for.
2. *Confidential Form*—this is the form used by the Petitioner and the Clerk of the court to record important information about the people involved in the case. The information on this form is entered into a computer that law enforcement officers (police, sheriff, etc.) can access. The information on this form is confidential according to state law. The only people who will have access to it are law enforcement officers, prosecutors, and court and clerk staff. This form must be submitted with the Petition at the time the case is filed.
3. *Respondent’s Verified Request for a Hearing*—once a Respondent has received a copy of the Petition and the Ex Parte Order for Protection, he or she can ask the Judge to set the case for a hearing. The Respondent should use this form to make that request.

Will the case automatically be set for a hearing?

It depends on what the Judge orders. Some Ex Parte Orders for Protection do not require a hearing—although a Respondent can ask for one within 30 days of receiving a copy of the Ex Parte Order for Protection. If a Petitioner asks for certain things, or if the Judge orders certain things, then a hearing must automatically be set. Here is a list of the different kinds of things a Judge can order and whether the law requires a hearing. Remember, the Respondent can always ask for a hearing, as long as the request is made within 30 days of receiving a copy of the Ex Parte Order.

Things that don’t require a hearing unless the Respondent asks for one:

- Prohibiting the Respondent from committing, or threatening to commit, acts of domestic or family violence, stalking, or sex offenses against the Petitioner or the Petitioner's family or household members;
- Prohibiting the Respondent from harassing, annoying, telephoning, contacting, or directly or indirectly communicating with the Petitioner;
- Ordering the Respondent to stay away from the Petitioner's residence, school, place of employment, or other places; and,
- Ordering the Respondent to stay away from places where the Petitioner's family or household members regularly go.

Things that can be ordered by the Judge right away, but that require a hearing to be held within 30 days:

- Evicting the Respondent from the Petitioner's home;
- Ordering the Respondent to give the Petitioner the possession and use of:
 - A home they both share;
 - A car or other motor vehicle;
 - Other necessary personal items;
- Ordering other additional relief.

Things that can only be ordered by the Judge once a hearing has been held:

- Visitation—establish rules for visitation, require that it be supervised by a third party, or deny visitation altogether;
- Ordering the Respondent to pay money to the Petitioner for various things, such as:
 - Attorney fees;
 - Rent/mortgage payments;
 - Child support/maintenance;
 - Medical expenses, counseling, shelter, repair or replacement of damaged property;
- Prohibiting the Respondent from possessing firearms, ammunition, or deadly weapons; and,
- If the Respondent owns a firearm, ammunition, or a deadly weapon, ordering the Respondent to surrender those items to a local law enforcement agency for the duration of the Order for Protection.

Should you see a lawyer?

In general, you have the right to file a Petition and to defend against one and go to court with or without an attorney. Because your situation may involve unique problems, you may want to consult with an attorney. Whether or not you have a lawyer, the other party may have one.

INSTRUCTIONS FOR PETITIONERS

What steps need to be taken to get the court order?

1. **There are no fees associated with this kind of case. You should not be asked to pay a filing fee, a service of process fee, a witness fee, or a subpoena fee.**
2. You will need 4 copies of the Petition: 1 for a worksheet; 1 for the court's file; 1 copy to be served on the Respondent; and, 1 copy for yourself.
3. You will need 1 copy of the Confidential Form. **Please note: you *must* have the Respondent's correct name, correct date of birth *or* Social Security number, and correct, current address.** If you do not have this information, the court and clerk will *not* be able to file this case for you. A numeric identifier (a date of birth or a Social Security number) is required by state and federal law in order to get the Order for Protection into the computer database. Every law enforcement officer in the state of Indiana and the United States has access to this computer database. In order for your order to be enforceable by the police, sheriff, or court, it needs to go into the computer. A correct, current address is required so that the Respondent can be served with copies of the court's orders and other papers. If the Respondent is not served with those copies, the order cannot be enforced by the police, sheriff, or court. Service is very important. It tells the Respondent about the order and about the hearing (if one has been set). Without service, there will not be a court hearing (if one has been set) and your Ex Parte Order will expire unless the Judge extends it.
4. Fill in the Petition. Some courts may require that the Petition be typewritten.
 - a. Fill in the name of the county where the case will be filed and the court name.
 - b. Fill in your name and the Respondent's full name. Remember, you will need one Petition for each Respondent.
 - c. Check ("X") all blanks that apply to your case. Read each item carefully and fill in the necessary information. Be specific.
 - d. Regarding Paragraph 5: there is no minimum residency requirement for filing a Petition.
 - e. If you are not represented by an attorney, fill in your public mailing address in Paragraph 6 of the Petition. This address will *not* be kept secret, so you should use a mailing address that you feel comfortable having public. If you want to use the Attorney General's Address Confidentiality Program, call that office at: (317) 232-6201 to get information on how to participate in that Program.
 - f. If you do not list the names of other family or household members you want protected in Paragraph 9 (and also list those people on the Confidential Form), you will be the only person protected by the Order for Protection.
 - g. Remember to sign and date the Petition.
5. If you are seeking an Order for Protection based on information given to you by other people (for example, a neighbor who saw the Respondent leave a threatening note in your mailbox, or follow you home one night), and not on the basis of what *you* personally observed, you must attach to the Petition affidavits

by the people who do have personal knowledge of the facts that support the granting of an Order for Protection. Also, those people will have to appear in court in person, as witnesses, to testify for you if there is a hearing set in your case.

6. Take all of your completed forms and all copies to the Clerk's office. The Clerk will tell you where to take your papers.


What if the Judge issues an Ex Parte Order for Protection?

1. If the Judge signs the Ex Parte Order for Protection, take the original and all copies to the Clerk. At some point, the Clerk will place a case number on all of the papers. The Clerk will file-stamp the copies (showing the date of filing). The clerk will keep some copies and give you some copies. The Clerk will also keep the Confidential Form.
2. If you get an Ex Parte Order for Protection, make sure you get several copies from the clerk that are file-stamped and that have the judge's signature on them. Think about how many copies of the Order you will need: 1 to carry with you; 1 copy to give to your employer; 1 copy for your landlord/security guard; 1 copy for your children's school, etc.
3. If the court must hold a hearing on your Petition, make sure you know the correct date and time of the hearing before you leave the Clerk's office. Make sure you have the court's telephone number so that you can call ahead a few days before the hearing and confirm the court date and time.

How should I prepare for a hearing?

1. If the court holds a hearing on your Petition, go to the court hearing with any and all evidence you might have. If there are any witnesses to the Respondent's conduct, they must also be at the hearing.
2. If the Judge issues an Order for Protection Issued After a Hearing, make sure to get enough signed, file-stamped copies for yourself, your employer, etc.

1. If you are served with a *Petition for an Order for Protection and Request for a Hearing* and an *Ex Parte Order for Protection*, you should promptly seek legal advice. If you have no attorney, the lawyer referral service of your local bar association may be helpful.
2. Read the papers served on you very carefully. The *Ex Parte Order for Protection* will forbid you from doing certain things, and may order you to do certain other things. **If you disobey the court's orders, criminal charges may be filed against you.**
3. If you wish to oppose the Petition or Order, or want to request your own Order for Protection, or if you want the court to have a hearing on the Petition and Order, you must go in person to the Clerk of the court that issued these papers. If you want to oppose the Petition or Order, you must do that at a hearing—the judge must hear your side of the case. To request a hearing, get a form from the Clerk entitled, “Respondent’s Verified Request for a Hearing” and fill it out completely. You should not be charged a fee to file this form with the court. If you want to ask for your own Order for Protection, you will need to follow the “Instructions for Petitioners” and file a separate case.
4. If there is a hearing, you need to be there in person so that the Judge can hear your side of the case. If you do not attend the hearing, the Judge can go ahead and hear the case without you. If you have any witnesses, they must attend the hearing in person in order to testify for your side.



VICTIM SERVICES

Indiana Criminal Justice Institute Victim Compensation
800-353-1484
www.in.gov/cji

Office of the Attorney General
800-258-0933
www.in.gov/attorneygeneral

Indiana Coalition Against Domestic Violence (ICADV)
800-332-7385
www.violenceresource.org

Indiana Coalition Against Sexual Assault (INCASA)
800-691-2272
www.incasa.org

Mothers Against Drunk Driving (MADD)
800-247-6233
www.madd.org

National Sexual Assault Hotline (RAINN)
800-656-4673
www.rainn.org

An Abuse, Rape and Domestic Violence Aid and Resource Collection (AARDVARC)
www.aardvarc.org

Indiana Department of Correction Registration and Victim Services Division
800-447-5604
www.in.gov/ldc

PROVIDED BY: Participating local Sheriffs
IN PARTNERSHIP WITH APPRISS

Notes:



11/10



VINE
VICTIM INFORMATION & NOTIFICATION EVERYDAY

VICTIMS HAVE THE RIGHT TO KNOW

County VINE Service for Indiana

Access to Information & Notification for Offender Custody Status

1-866-959-VINE

www.vinelink.com

A service provided by:
Participating local Sheriffs

INDIANA VICTIM INFORMATION AND NOTIFICATION EVERYDAY

VINE is an automated service that lets you track the custody status of offenders in participating county jails. By calling the toll-free number or visiting www.vinelink.com, you can find out the custody status of an offender. You can also register to be notified by phone and e-mail if the custody status of an offender changes.

Information

Call 1-866-959-8463 or visit www.vinelink.com and follow the instructions to access custody information.

Registration

If the offender is in custody, you can register to receive notifications.

If registering a phone number, you will be asked to create a four-digit personal identification number (PIN) that will be used to confirm that the call was received. Make sure your PIN is easy to remember.

Notification

You will be notified about the following events:

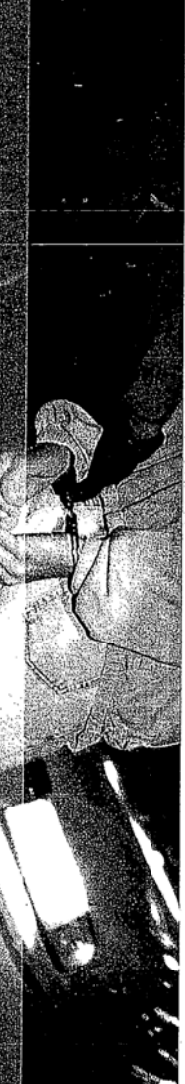
- Release
- Transfer
- Escape
- Death

When VINE calls, listen to the message, then enter your PIN followed by the pound (#) key when asked. Entering the PIN lets VINE know that you received the call and will stop the service from calling you again.



- If you feel you are in danger, call 911 immediately.
- Since VINE calls automatically when an offender's custody status changes, you may get a call from VINE in the middle of the night.
- If you do not answer a notification call, VINE will leave a message. If there is no answer, VINE will continue calling back until you enter your PIN or until up to 48 hours have passed.
- Do not register a phone number that rings to a switchboard.
- You can register multiple phone numbers and e-mail addresses for notifications.
- If you forget your PIN, call the toll-free number and press zero. You will be transferred to an operator who can help you reset your PIN or cancel notification.
- Operators are available 24 hours a day, seven days a week to assist you.

www.vinelink.com



Do not rely solely on VINE for your safety. If you feel that you may be at risk, take precautions as if the offender has already been released.

1-866-959-VINE
Toll-Free 1-866-959-8463

Write down the following information,
tear off this panel,
and keep in a safe place:

Offender name _____

Offender number _____

Your four-digit PIN _____

USING VINE

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Address
CONFIDENTIALITY
PROGRAM



Attorney General Steve Carter
Working for Justice in Indiana



Office of the Indiana Attorney General
Victim Assistance Division

302 West Washington Street, 5th Floor
Indianapolis, IN 46204
1.800.321.1907
www.AttorneyGeneral.IN.gov

Office of the **INDIANA** ATTORNEY GENERAL

The Office of the Indiana Attorney General works to assist victims of domestic violence, sexual assault, and stalking by helping them return to normal, safe lives. One of the ways the attorney general's office does this is through the Address Confidentiality Program.

The Address Confidentiality Program allows individuals with protective orders who are victims of domestic violence to maintain a confidential address through the attorney general's office. It's not witness protection – nor is it a total guarantee of safety. It's simply one thing victims of domestic violence can do in order to help take their lives back. Many times, a confidential address is part of a larger, overall safety plan.

HOW IT WORKS

Participants in the program are assigned confidential addresses. Mail received at these confidential addresses is sent to the attorney general's office for processing. Then, first-class mail is forwarded on to the victims' actual homes. Through these steps, a great deal of safety can be achieved.

WHO IS ELIGIBLE

Only victims of domestic violence with protective orders in place are eligible for the Address Confidentiality Program. And all victims must be referred through a trained victim's advocate. The Address Confidentiality Program cannot accept applications directly from those wishing to join the program.

If those initial requirements are met, participation in the program may be offered to:

- Individuals at least 18 years of age or
- A parent or guardian acting on behalf of a minor or
- A guardian acting on behalf of an incapacitated person

In addition, individuals must:

- Have a valid protective order in place and
- Be a victim of domestic violence and
- Fear for their safety

HOW TO APPLY

Trained victim advocates are the only people who can refer domestic abuse victims to the program. However, those wishing to learn more about the program can call 1.800.321.1907 or email the Address Confidentiality Program at confidential@ag.state.in.us

ADDITIONAL IMPORTANT INFORMATION

The Address Confidentiality Program keeps all personal information private. However, the information must be released if it is requested by law enforcement officers. Private information may also be released by court order.

Participation in the program is not permanent. Participants must renew their status in the program every two years. Additionally, the addresses of victims in the program must be kept current with the attorney general's office.

For additional information, please call the attorney general's office at 1.800.321.1907.

Indiana Victim Compensation

Who is not eligible?

Persons not eligible for assistance from this fund include:

- A victim who did not receive bodily injury as a result of the crime;
- A victim who has engaged in misconduct that caused or contributed to the crime that led to the injury or death;
- A victim who was injured while committing, attempting to commit, participating or attempting to participate in a criminal act;
- A victim who was injured while confined in a correctional facility;
- A victim who did not report the crime to a law enforcement officer within 72 hours after the occurrence of the crime (*Note: this requirement does not include victims of sexual assault*);
- A victim who is injured or killed in a hit and run accident or by a driver who was not found to be legally intoxicated or impaired;
- A claimant whose net worth exceeds \$200,000;
- A victim who receives collateral source payments in excess of \$15,000 (*Note: An award will be reduced by any collateral source income received.*);
- A claimant who fails to file an application within 180 days of the crime's occurrence.

What is not covered?

This fund does not reimburse victims for:

- Property damage and replacement of items damaged or stolen during the violent crime;
- Damages for "pain and suffering";
- Relocation expenses;
- Travel, food, and lodging to attend depositions, trials, appeals, sentencing's, or parole hearings;
- Rent, utilities or food;
- Crime scene cleanup; or
- Burial clothing, funeral flowers, food for wake, travel and lodging to attend funeral services.

What happens after I file my application?

The Violent Crime Victim Compensation program staff will review the application to determine the extent of the loss. If additional information is needed, you will receive a written explanation of what is needed. Results of staff investigations and the decision regarding financial assistance will be sent to applicants by mail.

When will I receive payment?

The division may make an award in full, in part, or deny a application altogether. In the event that expenses exceed the maximum award of \$15,000, the division will divide the award among the providers. The Violent Crime Victim Compensation program is a "payer of last resort," meaning that, with the exception of forensic exams for sex crime victims, an award will be made only in situations where the claimant has no other recourse. Therefore, the final award may be reduced by the amount of benefits covered by insurance, unemployment compensation, Social Security, public funds (including Medicare or Medicaid) or any other source.

Note: If you do receive Violent Crime Victim Compensation funds, and later receive an insurance settlement or court-ordered restitution covering the same loss paid by the fund, YOU MUST REPAY THAT AMOUNT TO THE STATE OF INDIANA.

What if I am not satisfied with the decision?

Applicants have 30 days from the date of the notice to send written notification requesting a hearing to appeal a decision. A hearing date will be set and the applicant will be notified of the time and location. Appeal hearings are held at the Indiana Criminal Justice Institute offices in Indianapolis.

Do I need an attorney?

It is not necessary to hire an attorney to apply for Violent Crime Victim Compensation or to appeal a decision of the division. However, if you choose to hire an attorney and receive an award from this fund, the attorney may receive up to 10% of the final award as a fee for services rendered. Attorney fees from the award will be deducted at final award



**INDIANA CRIMINAL JUSTICE INSTITUTE
VIOLENT CRIME COMPENSATION FUND**

101 West Washington Street, Suite 1170 East Tower
Indianapolis, Indiana 46204-2038
Telephone: 1-800-353-1484

In 1978, the Indiana General Assembly enacted a law which, for the first time in Indiana, provided for financial assistance to victims of violent crimes.

- 1 The claimant must be a victim, surviving spouse or a dependent child of a victim of violent crime, including cases where there is evidence of drunk driving.
 - 2 The crime must have occurred within the State of Indiana.
 - 3 The crime must have been reported to police within forty eight (48) hours after its occurrence and the victim and/or claimant must cooperate with the law enforcement officials in connection with the crime.
 - 4 The victim must have incurred a minimum of \$100.00 in medical expenses as a result of the crime. Such expenses as counseling, lost income and funeral expenses may be considered after the minimum has been met. *(The maximum benefit available is \$15,000.00)*
 - 5 The victim must not have contributed to the crime.
 - 6 Where special circumstances arise, claimants are advised to contact the Division or their attorneys for information as to eligibility.
-
- 1 The application for benefits must be filed with this agency no later than 180 days after the date crime occurred. It is necessary that the victim/claimant fill out the application and include their signature.
 - 2 The application must be filed either in person or by mail.
 - 3 In the event the claimant is a minor child (*under 18 years of age*), a parent or legal guardian must sign. For a minor, a certified copy of the guardianship order must be attached.
 - 4 Send original application to the Division at the address listed above.
 - 5 **PLEASE NOTIFY THE DIVISION OF ALL CHANGES IN NAMES, ADDRESS OR TELEPHONE NUMBER.**

For more information please contact the office at the above listed telephone



APPLICATION FOR BENEFITS FROM VIOLENT CRIMES COMPENSATION FUND

State Form 23776 (R9/3-97)

* This state agency is requesting disclosure of Social Security numbers that are necessary to accomplish the statutory purpose of this state agency according to IC 4-1-8.

** This information is for statistical purposes only and will not effect the eligibility of the claimant.

VICTIM INFORMATION				
Name of victim (last, first, middle initial)				Mental status
* Social Security number	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of birth	** Race <input type="checkbox"/> White <input type="checkbox"/> Black	<input type="checkbox"/> Hispanic <input type="checkbox"/> American Indian <input type="checkbox"/> Asian <input type="checkbox"/> Other
Name of victim's dependents				
CLAIMANT INFORMATION				
Name of claimant (if different from the victim's last, first, middle initial)				* Social Security number
Address of victim or claimant (number and street)				Work telephone number ()
City, state, ZIP code				Home telephone number ()
Claimant's relationship to victim				
INJURIES TO VICTIM				
What injuries did the victim sustain as a result of the victimization?				
Hospital for medical treatment				
Address (number and street, city, state, ZIP code)				
Name attending physician				
Address (number and street, city, state, ZIP code)				
CRIME AND PROSECUTION				
Date of crime		Location of crime (city, state, county)		
Briefly give a description of the crime				
Date and time police report was filed	<input type="checkbox"/> AM <input type="checkbox"/> PM	Name of law enforcement agency	Name of detective	Case number (if known)
Name of suspect (s)		Victim's relationship to suspect		
Has suspect been arrested? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Were you willing to pursue prosecution? <input type="checkbox"/> Yes <input type="checkbox"/> No				
If "No", please explain:				
Cause number (if known)				

INSURANCE			
Were the injuries you sustained covered by any of the following?			
<input type="checkbox"/> Medicare	<input type="checkbox"/> Medicaid	<input type="checkbox"/> Worker's Compensation	<input type="checkbox"/> County Trustee
Medical and / or car insurance amount \$ _____			
Carrier(s) _____			
Health Maintenance Organization carrier: _____ Coverage _____			
Are you receiving any of the following as a result of the victimization:			
Social Security disability	\$ _____	Per Month	
Social Security survivors benefit	\$ _____	Per Month	
Life insurance death benefits	\$ _____		TOTAL
Were you the beneficiary ? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Worker's compensation benefits	\$ _____	Per Week	
Employer disability benefits	\$ _____	Per Week / Month	

EMPLOYMENT INFORMATION	
Victim's employment name _____	Telephone number () _____
Address (number and street, city, state, ZIP code) _____	

<p>RELEASE</p> <p>I do hereby release the State of Indiana and the Violent Crimes Compensation Division from any and all liability which might be connected with the processing and payment of this claim. In the event the fund from which the award is paid, if the claim is allowed, is such that it is necessary to prorate the payment of the claim, I do hereby release and discharge the State of Indiana and the Violent Crimes Compensation Division from any and all liability beyond the amount actually paid to me from the fund.</p>		
<p>SUBROGATIONS</p> <p>The claimant hereby certifies that no release has been or will be given in settlement or for compromise with any third party who may be liable in damages to the claimant; and the claimant, in consideration of any payment and/or award by the Violent Crime Compensation Division in accordance with IC 5-2-6.1-22, here subrogates the State of Indiana to the extent of any such payment and/or award to any right or cause of action occurring to the claimant against any third person, and agrees to accept any such payment and/or award pursuant to the provisions of the statute. The claimant hereby authorizes the State of Indiana to sue in his/her name, but at the cost of the State of Indiana, pledging full cooperation in such action, to execute and deliver all papers and instruments, and do all things necessary to secure such right to a cause of action.</p>		
<p>CONSENT TO PAY PROVIDERS</p> <p>I do hereby consent and agree that if an award is made, money due and owing to any provider of medical services and due to any other qualified person or entity, including any attorney's fees allowed to my attorney, may be paid direct to said provider, entity or attorney by the agency and need not be paid to me.</p>		
<p>AUTHORIZATION TO RELEASE INFORMATION</p> <p>I hereby authorize any hospital, physician, or other person, who attended or examined _____ any undertaker or other person who rendered services; any employers of the victim; any police or other municipal authority or agency, or public authority; any insurance company or organization, or its representative, to release any and all information with respect to the incident resulting in the victim's personal injury or death, and the claim made herewith for benefits. A photocopy of this authorization will be considered as effective and valid as the original.</p>		
<p>I the undersigned Claimant, hereby certify under the penalties of perjury that the statements made herein are true to the best of my knowledge and belief and were made for the purpose of inducing the State of Indiana to award benefits to me for losses incurred as described above through the Violent Crime Victims Compensation Fund as prescribed in IC 5-2-6.1-40.</p>		
<table style="width: 100%; border: none;"> <tr> <td style="border: none; width: 70%;">Signature of claimant _____</td> <td style="border: none; width: 30%;">Date _____</td> </tr> </table>	Signature of claimant _____	Date _____
Signature of claimant _____	Date _____	

Volunteer Lawyer Program of Northeast Indiana, Inc.

Contact information:

Phone- (260) 407-0917

Website: <http://vlpnei.org>

Address: 927 South Harrison Street

Fort Wayne, IN. 46802

Counties served: Adams, Allen, DeKalb, Huntington, LaGrange, Noble, Steuben, Wells and Whitley. They will also help with bankruptcy for the following counties: Blackford, Grant and Jay.

Legal Assistance and programs provided:

- Family Law: Dissolution of Marriage
- Adoption
- Bankruptcy: Client must have filing fees before being placed with a volunteer lawyer
- Landlord/Tenant
- Consumer
- Immigration (Allen County only)
- Collections
- Small Claims
- Contracts
- Real Estate
- POA/Wills/ Health Care Directives
- Estate Law
- Guardianships
- Social Security Disability
- Tort Defense
- Clinics for Bankruptcy

GUIDELINES FOR INTERVIEWING BATTERED WOMEN

- Do not ask her about his violence while in his presence
- Actively listen
- Ask direct questions
- Believe her
- Don't be judgmental
- Assess for injuries and safety
- Help her to dispel myths about abuse
- Validate her feelings
- Don't tell her what to do
- Ask her what she wants
- Provide referrals to police, shelters
- Help her to develop a safety plan
- Empower her by respecting her choices
- Don't try to persuade her husband to be nonviolent
- Do not intervene in a violent episode

FORMS of ABUSE

Type of Abuse	Definition	What It Looks Like	Early Warning Signs
PHYSICAL Abuse	<ul style="list-style-type: none"> Any form of abuse that threatens your safety 	<ul style="list-style-type: none"> Shoving Slapping Strangling Throwing Objects Reckless Driving Pinching, Biting Blocks your exits Hair Pulling 	<ul style="list-style-type: none"> Going into a rage when disappointed or frustrated Teasing, pushing Threatening to injure Threaten to leave you in an unsafe location
VERBAL Abuse	<ul style="list-style-type: none"> Words that demean, scare, and control 	<ul style="list-style-type: none"> Name Calling Insults Yelling Blaming "Joking" Humiliation Threats of physical harm to you 	<ul style="list-style-type: none"> Teasing that includes insults Constantly puts down other people Twists your words
EMOTIONAL Abuse	<ul style="list-style-type: none"> Actions used to demean, scare, and control 	<ul style="list-style-type: none"> Stalking Isolation Mind Games Ignoring Cheats Sleep deprivation Threats of suicide Jealousy Intimidation Possessiveness Destruction of person's property 	<ul style="list-style-type: none"> Upset when you spend time with your friends Trying to control what you do Follows you Checks up on you Goes through your belongings Treats you like "property"
SEXUAL Abuse	<ul style="list-style-type: none"> Sexual advances that make a person feel uncomfortable, humiliated Sexual behavior that is unwanted 	<ul style="list-style-type: none"> Rape Use of words such as "whore" Forces unwanted sex and touching Tells you of other partners Forces you to watch pornography, strip, prostitute Compares you to other partners 	<ul style="list-style-type: none"> Uses statements such as, "If you loved me, you would..." Gets angry if you say "no"

Cycle of Violence

TENSION BUILDING

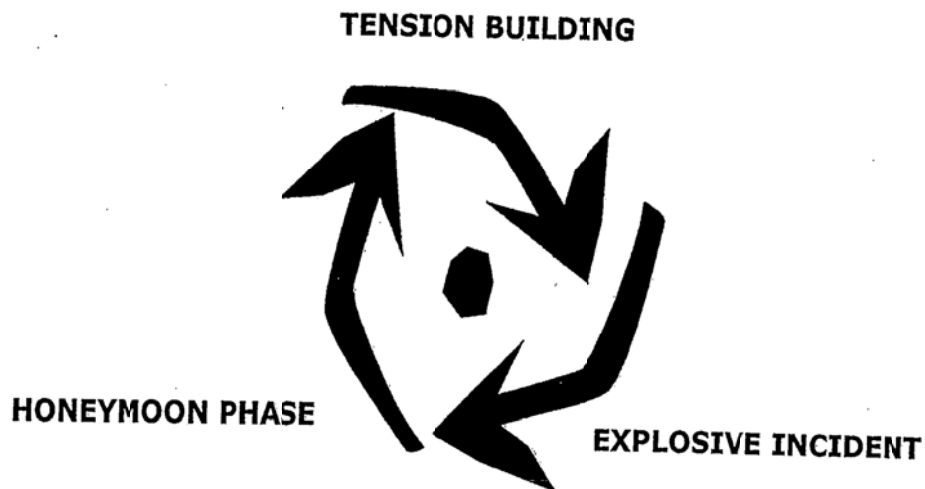
- Victim and abuser argue a lot.
- Abuser yells at victim out of nowhere.
- Abuser accuses victim, victim feels like they can not do anything right.
- Victim feels tension, walking on eggshells.

EXPLOSIVE INCIDENT

- The tension is built up and then released through a violent act.
- Violent acts may include intense verbal, emotional, sexual, and/or physical abuse.

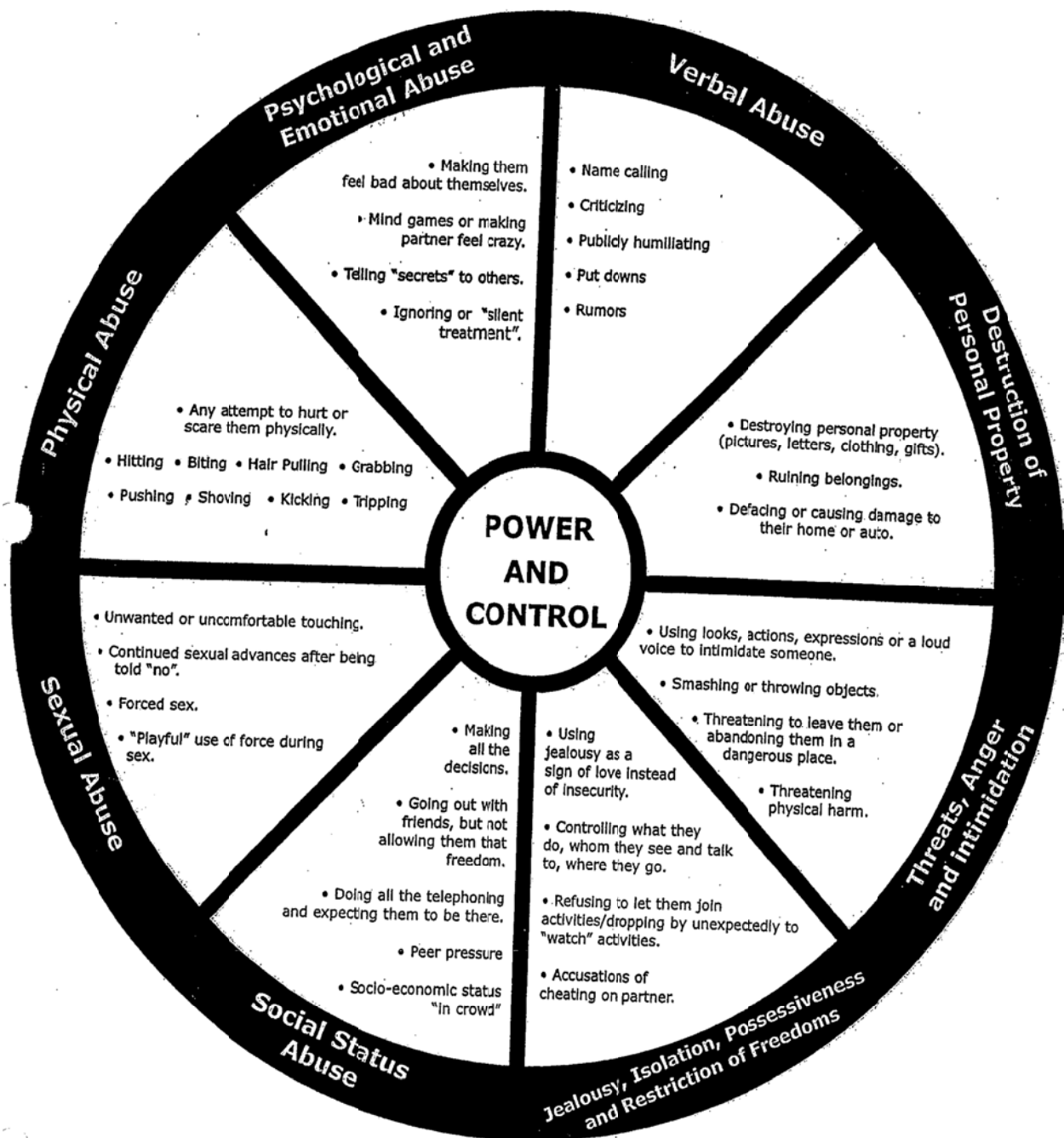
HONEYMOON PHASE

- Abuser tries to get victim to stay with them by apologizing to the victim.
- Promises that this will never happen again, tells the victim that they love them.
- Buys flowers or gifts for the victim.
- Abuser makes excuses for their behavior.



*Be especially careful if cycle is occurring in public. This could lead to a very dangerous explosive incident due to abuser not caring who sees the violence!

Relationship Power and Control Wheel



Safety Plan Tips for Relationships

- Tell a trusted adult (parent, counselor, teacher, clergy)
- Keep in mind rooms to avoid during an incident (kitchens, basements, bathrooms)
- Carry a cell phone, if possible; Have knowledge of numbers you can call when you sense danger
- Know safe places you can go in case of an emergency
- Keep a journal of any violence that happens
- Spend less time with abusive person if at all possible
- Notify employer of anyone you are afraid of
- Have a code word with friends/family to signal when you are in immediate danger
- Have money with you at all times in case you are stranded
- Screen phone calls, e-mails
- Avoid locations where you may run into the abusive person
- Change your routes to school, work, church and routines.

How to help a friend

If you know someone who's being abused, here's what you can do to help:

1. Be there. Listen without giving advice, unless it is asked for, and believe what they tell you.
2. Don't pressure your friend to break up with their partner, and don't put the partner down. This may drive your friend away from you when they need you most.
3. Acknowledge your friend's confused feelings. Don't tell your friend how they should feel. Recognize that it is still possible to love someone who hurts you.
4. Encourage your friend to get help. Offer to help them find a counselor they can trust, and offer to go with them to meet the counselor.
5. Call the Domestic Violence hotline, 1-800-441-4073, anonymously to find out what you can do to help your friend.
6. Get written information on relationship abuse and share it with your friend.
7. Don't make victim-blaming statements like "You're stupid to stay" or "Why do you let them treat you like this?" This will not help your friend.
8. Don't ever place conditions on support - let your friend know you will support them no matter what their decisions are.
9. Allow your friend to make their own decisions, and respect those decisions even if you don't agree with them.
10. Call the police if you witness physical violence.

If you know someone who's abusing their partner, here's what you can do to help:

1. Tell your friend very clearly that their behavior isn't acceptable.
2. Don't laugh at jokes or make light of talk about abusive behavior.
3. If your friend grew up in a violent home, try to get them to talk about how that affected their own relationships.
4. Encourage your friend to get help. Offer to help them find a counselor they can trust, and offer to go with them to meet the counselor.
5. Be supportive of your friend's partner. Let them know they don't deserve to be abused.
6. Call the Domestic Violence hotline, 1-800-441-4073, anonymously to find out what you can do to help your friend's partner.
7. Get written information on relationship abuse and share it with your friend and your friend's partner.
8. Be a role model for healthy relationships by treating your partner and friends with respect.
9. Speak up when peers make disrespectful remarks or sexist jokes.
10. Call the police if you witness physical violence. In many cases, an abuser can be required to get counseling.

When Should I Assist in the Workplace?

- ☐ Heard about incident through the “grapevine”.
- ☐ Routine part of evaluation (performance of client assessment).
- ☐ An employee’s behavior either as a perpetrator or victim indicates assistance is needed.

Behaviors to look for:

- ☐ Harassment to person (excessive phone calls or in person, threatening notes)
- ☐ Vandalism of person’s vehicle
- ☐ Frequent tardiness
- ☐ Frequent absence/missed appointments
- ☐ Depression
- ☐ Injuries (especially accident prone and constant excuses)
- ☐ Poor performance/lack of concentration
- ☐ Change in performance
- ☐ Suddenly quits
- ☐ Requests for special arrangements (no overtime, leave early)
- ☐ High anxiety
- ☐ Excessively apologetic (always says “sorry”)
- ☐ Isolation from others (eats alone, no after work socializing)
- ☐ Discussion of animal cruelty

Signs of Abuse in the Workplace

Does your employee . . .

- ☐ Have unexplained bruises, lacerations, human bite marks and/or fractures or explanations that don't fit the injuries?
- ☐ Noticeable decrease in attention to appearance and personal hygiene.
- ☐ Stress related illnesses?
- ☐ Any alcohol or drug problems?
- ☐ Seem distracted or have trouble concentrating?
- ☐ Have a high absenteeism rate?
- ☐ Receive repeated, upsetting telephone calls during the day?
- ☐ Receive disruptive personal visits?
- ☐ Appear anxious, upset or depressed?
- ☐ Fluctuate in the quality of work performance for no apparent reason?
- ☐ Refuse advancement opportunities?

What You the Employer Can Do

- **Support & Advocacy:** Talk to the employee privately. Let the employee know what you have observed. Listen non-judgmentally, believe and validate his/her experience. Encourage him/her to talk about it and support his/her decisions. Don't ever tell him/her to get out – this is not safe advice!

Create supportive environments where victims of domestic violence can go and seek help without fear of reproach. This can be accomplished by training management on recognizing the signs of domestic violence. Employee in-services and brown-bag seminars from local or regional experts can be held. Newsletter articles, brochures and paycheck reminders can also be created on recognizing and responding to domestic violence. Additional training programs such as; listening skills, coaching and counseling skills, safety and security, emergency first aid and self defense can be offered as well.

Give referrals through Employee Assistance Programs (EAPs) or to outside referrals for counseling.

- **Increase Security Measures:** Provide personnel and security personnel with a photograph of abuser and copies of a protective order. Install a panic button or other security device in the workplace and install extra lighting in parking lots. Establish priority parking for employees in danger and provide escorts to parked cars.

If your organization does not have security personnel, organize a threat assessment team. Your work site can be inspected by credible security organizations and/or the police.

Physical barriers can be placed such as desks, dividers, walls and furniture in the workplace to slow a perpetrator down. Have the layout of the work site at hand. If necessary, change rotations in the work schedule.

All calls should be screened and transferred to security or other personnel. Remove employees name and number from automated phone directories. Save any threatening emails or voicemail messages. All threats should be taken seriously and reported to security and/or the police.

- **Develop Responsive Policies:** Initiate a *Workplace Policy Checklist*. Develop a reproducible brochure on developing personal and workplace safety plans.

Leave and Benefits Policies can be created to accommodate employee's needs for flexible schedules by not penalizing them if they need to attend court proceedings, to meet a counselor or to relocate to a shelter (e.g. flex time options, leave policies, etc.)

Employers can provide *Second Chance Agreements* addressing what behaviors have to change with a time period for addressing those performance problems. This should not demand that she leave the abuser as part of this agreement or demand personal details about the abuse in order to qualify for the second chance.