

BARREN RIVER AREA SAFE SPACE, INC.

The Domestic Violence Assistance Guide is in its 5th Printing. This is a testament to the importance of the availability of the purple booklet to anyone who has experienced domestic violence. The guide has been provided to victims as they file for a protective order, complete an initial assessment with an Advocate or speak to a police officer responding to a domestic violence call. Over 9000 booklets have been distributed to victims, survivors and law enforcement.

What is the purpose of the “purple booklet”? This booklet serves to meet the need for information and resources for anyone in a violent relationship. This small booklet is designed to provide individuals with information related to risk & lethality, protective order process, criminal complaints related to 4th degree assault, stalking, or other crimes, useful phone numbers, safety planning, and general information on domestic violence.

The information on protective orders contained in this booklet is not all-inclusive but a summary of Kentucky legislation in order to provide a quick reference for victims/survivors of domestic violence. For more information on state legislation on protective orders visit the Legislative Research Commission website at: <http://www.lrc.ky.gov>. For information on federal protections through the Violence against Women Act visit: <http://www.justice.gov/ovw>

The Barren River Area Safe Space, Inc. expresses appreciation for the Bowling Green Police Department’s efforts in working with patrol officers in order to increase distribution of the purple booklet when responding to a domestic violence call.

For more information about domestic violence services please visit our website at: www.barrenriverareasafespace.com

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Understanding Domestic Violence

What is Domestic Violence?

Kentucky law defines "domestic violence and abuse" as the occurrence of one or more of the following acts between "family members" or "members of an unmarried couple:"

- Physical injury
- Serious physical injury
- Sexual abuse
- Assault
- Infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault between family members or members of an unmarried couple.

Warning signs of domestic violence

Does your partner:

- Control you?
- Embarrass you?
- Control what you wear or where you go?
- Monitor your computer and cell phone activity?
- Blame you for the abuse?
- Make threats of harm?
- Stalk you?
- Isolate you from family and friends?
- Withhold money?
- Prevent you from working?
- Take your money?
- Destroy your property?
- Harm your pets?
- Threaten to have you deported?

Risk & Lethality Assessment

Does your partner:

- Isolate you from family or friends?
- Idolize you and depend heavily on you?
- Express ownership of you (You can never leave me. If I can't have you, no one can.)?
- Threaten to hurt you?
- Physically harm you?
- Used hands or object to choke, strangle or suffocate you?
- Have access to guns or knives?
- Force you to have sex?
- Have a history of arson or threats of arson?
- Stalk you?
- Have a history of abduction or hostage taking?
- Tell you you're a bad parent or threaten to take away or hurt your children?
- Destroy your property?
- Abuse your pets?
- Threaten to kill your pets?
- Force you to drop charges or a protective order?
- Threaten to commit suicide?
- Threaten to kill you, the children, or your relatives?
- Frequently use drugs or alcohol?
- Engage in violent or risk-taking behavior?

The greater the number of risk & lethality indicators you have checked above, the greater the likelihood of a life threatening attack. Please review the safety planning section.

For further information regarding the dynamics and patterns associated with domestic violence & risk & lethality go to

www.barrenriverareasaftespace.com.

Safety Planning

Personal Safety Plan

Why is a Safety Plan Necessary?

Once violence occurs in a relationship, it almost always reoccurs. The violence tends to occur more frequently and will most likely increase in severity. It's very important that you have a plan and think ahead about what should be done in case of an attack from your abuser. In many cases you may contemplate leaving several times before finally taking action. Leaving a violent relationship is a process. There are some practical steps which you can use to help keep you and your family safe.

Safety during an argument

- If an argument seems unavoidable, try to move into a room or area where you have access to an exit and away from the bathroom, kitchen, bedroom, or anywhere weapons are stored.
- Practice getting out of your home safely. Decide which exit strategy and route is best, and review this with your children.
- Identify one or more neighbors you can tell about the violence and ask that they call the police if they hear a disturbance coming from your home.
- Decide on a code word to use with your children, family, friends, and neighbors when you need the police.
- Decide and plan for a safe location if you have to leave home (even if you don't think you will need to).
- Call 911 and request police assistance.
- Contact your local shelter's crisis line (**1-800-928-1183**).
- Use your own instincts and judgment. If the situation is very dangerous, consider giving the abuser what he/she wants to calm them down. You have the right to protect yourself until you are out of danger.

Safety when preparing to leave

- Open a savings account and/or credit card in your name.
- Get your own post office box. You can privately receive checks, bank statements, and letters.
- Keep money, an extra set of keys, copies of important documents, extra medicines and clothes with someone you trust outside the home.
- Make a list of safe places to go in case of emergency.
- Keep the shelter or hotline phone number close at hand at all times for emergency phone calls, or memorize the number.
- Review and update your safety plan.
- Think of other ways to increase self-sufficiency.

Checklist: What you need to take when you leave

Identification

- Driver's License
- Children's birth certificates
- Your birth certificate
- Social Security card
- Medical card
- Insurance cards

Financial Information

- Money, credit cards, debit cards
- Bank books
- Checkbooks

Legal Papers

- Protective order (keep this with you at all times)
- Lease, rental agreement, house deed
- Car registration, insurance papers, title
- Health and life insurance papers
- Medical records for you and your children

- School records
- Work permits/Green card/VISA
- Passport
- Divorce and Custody papers/marriage license

Other

- House and car keys
- Medications
- Address book
- Phone card
- Pictures of you, the children and the abuser
- Children's small toys
- Toiletries
- Change of clothing for you and your children
- Photographs of injuries, property damage, condition of home on the day you left

Safety in your home

- Change the locks; install security systems, smoke detectors and an outdoor lighting system. Be sure to secure your windows.
- Inform a neighbor that you trust and your landlord that your partner no longer lives at your residence and to alert the police if the abuser is on the property.
- Discuss a safety plan with your children and designate a safe meeting place with them in case of an emergency.
- Tell your children's caretaker the names of those who have permission to pick them up, and provide copies of the protective order to caretaker, day care or school.

Safety with a Protective Order

- If you or your child have been threatened or assaulted you can request a protective order from the Warren Circuit Court Clerk's Office, Domestic Violence Division.
- You may request a protective order 24 hours a day, 7 days a week. After business hours you will need to contact the Police Department to seek one. You may also request temporary custody, an order for no contact, and/or an order for the abuser to vacate the home.
- Keep your protective order with you at all times. Give a copy to someone you trust.
- Give a copy of the order to your child's school.
- Call the police immediately if the abuser violates the order.
- Inform family, friends, neighbors, and your physician or health care provider that you have a protective order in effect.

Safety on the job and in public

- Decide who to tell at work. This should include office or building security. Give them a picture of your abuser if possible. Provide a copy of your EPO or DVO to you employer.
- Arrange to have all of your calls screened by an answering machine, caller ID, voice mail, or by someone you trust.
- Have someone escort you to your car, bus, or cab, and wait with you until you are safely on your way. Use different routes to get home if possible. Think about what you would do if something happened while you were on your way home.
- Have someone meet you to walk you into your home if possible.
- Program your phone to speed dial 911.

For your emotional health

- Decide who you can confide in to give you the support you need.
- Call the crisis line, **1-800-928-1183** to speak with an advocate.

Important safety note:

- Learn about computer safety. **It is impossible to erase all computer history.** Additionally, spyware can be installed onto your computer without your knowledge and give the abuser ways to track and monitor your computer activity.
- We recommend that you use a computer that you know is “safe,” and that the abuser cannot access. With the advances in technology and the access that others can have regarding your information on the Internet, it is important that you follow your intuition when it comes to your search for help and safety.

Legal Options

Law Enforcement

Why You Should Call the Police

- Protect you from immediate danger and help you and your children.
- Arrest the abuser without a warrant, when the police officer has good reason to believe that an assault has taken place, is taking place, or that the abuser has violated a protection order.
- Provide information about domestic violence services, including shelter programs. Barren River Area Safe Space, Inc. (BRASS, Inc.) offers a 24 hour crisis line (**1-800-928-1183**).
- Transport or escort you to the shelter.
- Transport you to the hospital for medical attention in case of injuries.
- Complete a police report, which is a detailed account of what happened to you. This report can be helpful in proving what happened to you during a court hearing.

When the Police Arrive

- Try to stay calm. Provide the Officer with as much information as possible.
- Ask that a report be filed. Officers are required to file an official report for every domestic violence case they respond to, even if no other police action was taken.
- Describe the incident in detail. The police will not know what happened unless you tell them.
- Ask the police to take any evidence that shows you have been hurt, such as torn or bloody clothing, broken objects, or weapons. If there is no physical proof (for example, if you were being threatened), simply explain what happened.

- Request that the police photograph any injuries or damaged property. Your medical provider may also be able to take photographs.
- If there were any witnesses, provide names and contact information to the police.
- Tell the officers if there has been a history of violent incidents with the abuser.
- Show the officers any court documents you have, such as a protective order.
- Ask the officers for their business card, case number of the report, and a phone number. Call the officers with any concerns or questions while the incident is being investigated.
- If you leave your house, you can ask the police to wait while you pack your things.
- If the abuser is taken to jail, he or she may be released quickly. To help you plan for your safety, call the VINE system and register to be notified when the abuser is released.
(1-800-511-1670 or www.vineline.com)

Protective Orders

What is a protective order?

A protective order is designed to keep an abuser from committing further acts of domestic violence. The individual that files the protective order is the “petitioner.” The person the protective order is filed against is the “respondent.”

Types of Protective Orders

Temporary Protective Orders:

Emergency Protective Orders (EPO) & Temporary Interpersonal Protective Orders (TIPO)

You may file an EPO in Domestic Violence cases or a TIPO in Dating Violence, stalking or sexual assault cases. To file an EPO or TIPO, go to the Warren County Justice Center during normal business hours or visit the Bowling Green Police Department to file after-hours or weekends. You may obtain an EPO/TIPO without a full court hearing and your abuser is not required to be present. If you are granted an EPO/TIPO, your abuser will be served with the order that includes the date and time of a full hearing. An EPO/TIPO is effective until the court sets a date and time for a full hearing or it is withdrawn by the court. The court shall set a date and time for a full hearing within 14 days of its issuance. Continuance of an EPO/TIPO is limited to six months from the day it is issued. There are no charges or fees associated with filing a petition.

Long-Term Protective Orders:

Domestic Violence Orders (DVO) & Interpersonal Protective Orders (IPO)

DVO and IPO are long-term versions of a EPO/TIPO. These orders can only be granted to you following a full court hearing, where you and the abuser both tell your sides of the story and present evidence to a judge. Like temporary orders of protection, a DVO/IPO is not effective or enforceable until they have been served on your abuser. A DVO and IPO can last for up to three years. You may also extend your DVO/IPO for another three years, but must file for an extension at the Justice Center before the order expires. Federal laws apply to Domestic Violence and Interpersonal Protective Orders.

What's the difference in an EPO/DVO and a TIPO/IPO?

TIPO/IPO and EPO/DVO are both civil orders of protection that are very similar in function and process. The biggest difference is that TIPO/IPO are specifically designed to offer protection from dating violence, stalking and/or sexual assault for **dating couples**. That means that petitioners seeking to obtain a TIPO/IPO **do not** need to live with or have a child in common with the abuser to obtain the order. The process of filing a TIPO is the same as filing an EPO. The hearing process and enforcement of these orders are also very similar. If you are unsure about which type of protective order you need to file, you should ask a victim advocate or an official at the Warren County Justice Center or Bowling Green Police Department for assistance prior to, or at the time of filing your petition.

If the petitioner and respondent attend the same school, your school must develop a plan to provide an environment that is safe and conducive to pursuing education. Your school must allow both students to be educated without exposing the victim to further abuse.

What are the federal crimes and penalties?

All the federal domestic violence crimes are felonies.

It is a federal crime under VAWA:

- To cross state lines or enter or leave Indian country and physically injure an “intimate partner”. 18 U.S.C. Section 2261
- To cross state lines to stalk or harass or to stalk or harass within the maritime or territorial lands of the United States. 18 U.S.C. Section 2261A
- To cross state lines or enter or leave Indian country and violate a qualifying Protection Order. 18 U.S.C. Section 2262.

It is a federal crime under the Gun Control Act:

- To possess a firearm and/or ammunition while subject to a qualifying Protection Order. 18 U.S.C. Section 922(g)(8)
- To possess a firearm and/or ammunition after conviction of a qualifying misdemeanor crime of domestic violence. 18 U.S.C. Section 922(g)(9)

Who can get a protective order?

In order to get a protective order you must have a “qualifying relationship”. These include:

- Family Members. Including current or former spouse, a parent, child, stepchild or any other person living in the same household as the child if the child is the alleged victim.
- Member of an unmarried couple if currently living together, formerly lived together, or allegedly have a child in common.
- A dating relationship between two individuals who have had a relationship of a romantic or intimate nature.
- A victim of stalking or sexual assault

Who can be protected?

- You can request protection for yourself , your children and/or other persons who you believe may need protection
- If you are an adult and believe a child may need protection but you do not, you may file a petition on that child's behalf
- If you are under the age of 18, an adult must file a petition for you

Note: Kentucky law allows for a protective order to be filed against a current or former same-sex partner that meet the above criteria.

How can a protective order help me?

Protective orders may:

- Prevent the abuser from having any face-to-face, telephone, email, text, or written contact with you.
- Prevent the abuser from contacting you through a third party or through social media.
- Order your abuser to stay away from places where you work or study or locations deemed dangerous.
- Prevent the abuser from causing you physical harm, restricting your freedom of movement, or threatening you.
- Prevent the abuser from selling or destroying any of your property or any property you share with him/her.
- Give you temporary custody of your child or children.
- Order supervised visitation if necessary.
- Provide you with any other protection you and the Judge feel is necessary.
- With a DVO (after hearing), you can request child support.
- Order the abuser to vacate the couple's residence.

Steps for getting a protective order:

1. Get the necessary forms from the Warren Circuit Court Clerk, Domestic Violence Division located on the first floor of the Warren County Justice Center at 1001 Center Street. The Court Clerk's office is open from 8 am – 4:00 pm, Mon-Fri. *NOTE: Protective orders can be granted after court clerk hours by contacting the Bowling Green Police Department, Warren County Sheriff's Department or KY State Police.*
2. Ask to file an EPO or TIPO. An EPO/TIPO is a temporary emergency order that a judge can grant you if you or your child are in immediate danger. (The abuser should not be with you or be told you are asking the judge for an EPO/TIPO.)
3. When you go to the Justice Center to file a protective order, you will be asked to fill out a questionnaire that will help the clerk determine if you qualify for a protective order. If you meet the criteria, the clerk will then notify Barren River Area Safe Space. A Domestic Violence Advocate will be dispatched to the Justice Center to help you with your paperwork, answer any questions, and provide you with referral information.
4. Bring identification for you and identifying information about your abuser. Remember, to file a protective order, you must know the date of birth or social security number of the abuser, and an address where the order can be served. Other helpful information about your abuser include: a photo, phone numbers, a description and license plate number of your abuser's car.
5. After the clerk files your paperwork, the Judge will consider your petition. If the judge believes you or your child are in serious and immediate danger, he or she may give you an EPO

or TIPO, which is good for up to 14 days, until your full court hearing, or until withdrawn by the court.

6. The EPO/TIPO is not in effect until the abuser has been served with the order.

Note: Do not reunite with your abuser without going to court and getting the appropriate amendments made to your DVO/IPO.

What if I don't qualify for a protective order?

Protective orders may only be filed in the specific relationships previously discussed. However, assault and harassment are against the law. If one of these crimes is being committed against you, you may report it to law enforcement. If charges are pressed against the abuser, a judge may be able to order him/her to stay away from you.

What is a Criminal Complaint?

Filing for a protective order does not begin the process for filing criminal charges against your abuser. To do this, you must file a criminal complaint. A criminal complaint is a statement charging an individual with a criminal violation.

How to file a criminal complaint

To file a criminal complaint, you must be 18 years of age or older. If you are not 18 years of age, you must bring your parent or guardian with you. The Court may refer you, as the petitioner in a protective order, to speak to the County Attorney in order to give you information on filing criminal charges.

You must have the following information in order to file a criminal complaint:

- A picture ID
- The defendant's (abuser) full name and address where he or she can be served
- A police report from one of the following agencies:

Kentucky State Police, the Warren County Sheriff's Office, Western Kentucky University Police Department, or the Bowling Green Police Department

- The names and addresses of any witnesses
- Although not required, the date of birth and social security number of the defendant are very helpful

Steps to file a criminal complaint

1. Complaints can be filed at the Warren Co. Attorney's Office located on the 2nd floor of the Warren Co. Justice Center at 1001 Center St. The office is open Mon-Fri; 8a.m.–4:00p.m. The phone number is 782-2760.

2. After filing the complaint, you will meet with an attorney. The attorney will speak with you, and review the police report that you have in your possession. The attorney will determine whether or not there is probable cause to issue either an arrest warrant or a criminal summons.

You are not required to pay any fee for this service.

a. In the event the attorney does *not* believe there is probably cause for an arrest warrant or criminal summons, you have the ability to charge the alleged perpetrator with Contempt of Court (Show Cause Order) through an active EPO/DVO or TIPO/IPO in Family Court. To do this, you will need to go the Warren District Court Clerk's Office, Domestic Violence Division. This office is located on the 1st floor of the Warren County Justice Center. Once there, you will be presented with a form to complete and return to the clerk. The clerk will then give you a court date in which to appear in front of the Family or District Court Judge.

b. In the event that the attorney believes there *is* probable cause to proceed with an arrest warrant or criminal summons, the Warren County Attorney's Office will prepare the information and you will be required to sign. At that time, the arrest warrant will be taken to a Judge to review the information contained on the face of the warrant

or summons and will sign if he/she finds the information presented equates to the charge indicated.

3. The warrant or summons will then be returned to the Warren County Attorney's office, where it will be logged, and then transferred to the appropriate police agency for service.
4. Once the defendant is arrested; he/she will be taken to jail and later arraigned in District Court.

Resources for Victims/Survivors of Domestic Violence

VINE (English/ Español)

VINE stands for Victim Information and Notification Everyday (Informacion y Notificacion Diaria las Victimis). This is a free, anonymous, computer-based service administered by the Kentucky Department of Corrections, Office of Victim Services that allows anyone to receive information and notification, either by phone or e-mail, regarding;

- a). the status of an inmate in the Kentucky corrections system,
- b). specific felony or misdemeanor court cases, and
- c). protective orders (register to be notified of service).

You may call 1-800-511-1670 to register with VINE. The system is operated 24 hours a day, seven days a week. VINE is answered by a state of the art computer system, but is staffed by employees in the Kentucky Department of Corrections, Office of Victim Services, should you need assistance. You can also register online at www.vinelink.com for offender (inmate) status or www.corrections.ky.gov/ovs/ (click on VINE Court Services) to register.

VINE also has a free Mobile App that can be accessed through the website.

CRIME VICTIMS COMPENSATION (English/Español)

Financial help is available to innocent victims of violent crime through the Crime Victims Compensation Board. Under Kentucky's Crime Victims Compensation Fund, victims of violent crimes can be reimbursed for out of pocket medical expenses, loss of earnings, dental or corrective lens expenses resulting from crime, sexual assault exams (child and adult), HIV Exam and HIV treatment, psychological counseling, and funeral expenses.

The maximum reward is \$5000 for funeral expenses, and \$25,000 for other expenses. Compensation is for physical and psychological injuries and not for pain, suffering, or property damages. In addition to these requirements, certain criteria must be met to claim compensation for expenses incurred:

- The crime must have occurred in Kentucky.
- The victim must cooperate with the police.
- The crime must have been reported within 48 hours of its occurrence.
- The deadline for filing is 5 years from the time of the crime unless good cause can be provided for the delay.
- The victim cannot have been participating in any type of criminal activities at the time the assault occurred.

For more information: <http://www.cvcb.ky.gov>

Important Numbers

24-Hour Crisis Lines

Emergency

Barren River Area Safe Space, Inc. (BRASS)	1-800-928-1183
Department of Defense Safe Helpline	1-877-995-5247
Domestic Violence Hotline (English & Spanish)	1-800-799-SAFE
Drug & Alcohol Helpline	1-855-378-4373
Hope Harbor Sexual Trauma	1-800-656-4673
Kentucky Child Abuse Hotline	1-800-752-6200
LifeSkills Helpline	270-843-4357
National Domestic Violence Hotline TTY	1-800-787-3224
National Human Trafficking Hotline	1-888-373-7888
Parent Helpline	1-800-432-9251
Suicide Prevention Lifeline	1-800-273-8255

911

Emergency Housing/Shelters

Barren River Area Safe Space, Inc. (BRASS)	1-800-928-1183
LifeSkills	270-901-5000
Salvation Army	270-843-3485

Legal Assistance

Bowling Green Police Dept. Information	270-393-4244
BGPD Non-Emergency	270-393-4000
Circuit Court	270-746-7400
Commonwealth's Attorney Office	270-746-7485
District Court	270-746-7400
Drug Task Force Tip Line	270-781-DRUG

Emergency Protective Orders	270-746-7400
Family Court I, II	270-746-7144
Juvenile Court	270-746-7811
Kentucky Legal Aid	270-782-1924
Kentucky State Police	270-782-2010
Lawyers Care	270-782-1925
Probation and Parole	270-746-7420
VINE	1-800-511-1670
VINE TTY	1-866-847-1298
Warren County Attorney's Office	270-782-2760
Warren County District Court	270-746-7400
Warren County Regional Jail	270-843-4606
Warren County Sheriff's Office	270-842-1633
Western Kentucky University Police Department	270-745-2548

Counseling and Support Services

Alcoholics Anonymous	270-782-5267
Barren River Child Advocacy Center	270-783-4357
Domestic Violence Support Groups (BRASS)	270-843-1183
Hope Harbor	270-782-5014
LifeSkills Service Center	270-901-5000
Narcotics Anonymous	270-782-4029
WKU Counseling Services	270-745-3159

Child and Family Services

BGPD Victim Advocacy Unit	270-393-4144
BRASS, Inc.	1-800-928-1183

Child Support Enforcement Hotline	1-800-248-1163
Child Support Office, Warren County	270-781-3654
Community Action of Southern Kentucky	270-782-3162
Court Appointed Special Advocates (CASA)	270-782-5353
Department of Community Based Services	270-746-7447
Family Enrichment Center	270-781-6714
Juvenile Court Clerk's Office	270-746-7811
LifeSkills	270-901-5000
Rivendell Behavioral Health Services	270-843-1199
United Way of Southern Kentucky	270-843-3205

Victim Advocacy

Address Confidentiality Program:	1-844-292-5227
Attorney General's Office, Victim Advocacy	1-800-372-2551
BGPD Child Victim Advocacy Unit	270-393-4595
BGPD Domestic Violence Advocate	270-393-4144
BRASS, Inc.	270-843-1183
Crime Victim Services of Warren County	270-746-7485
Crime Victims Compensation	1-800-469-2120
Hope Harbor	1-800-347-1848

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