THE CYCLE THEORY OF DOMESTIC VIOLENCE

By Lenore Walker

Tension Building Stage

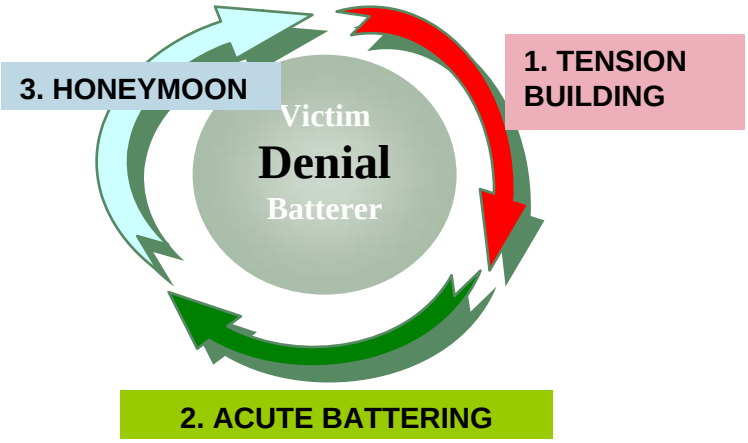
- Tension increases during arguments about money, work, children and daily activities. Name-calling, hostility and friction escalate.

Acute Battering Incident

- Physical battery can be caused by anything and is unpredictable.
- Battery can start with pushing, hitting and shoving and may progress to more serious bodily harm…including murder.

Honeymoon Stage

- Often batterers fear that their partners will leave, so they may apologize, beg for forgiveness and vow to change their behavior.
- Victims and batterers often minimize the seriousness of the injuries and the intensity of the abusive behavior.



AS A CRIME VICTIM/ WITNESS…

YOU HAVE RIGHTS

- To be informed of local victim treatment programs.
- To be informed of all crucial stages of the criminal or juvenile justice proceeding, to be present and heard at all critical stages and to be told how to participate in these proceedings.
- To be informed about the availability of Crime Victim Compensation.
- To be protected from intimidation.
- To submit a victim impact statement.
- To seek restitution from the offender.

Please tear here

STATE OF FLORIDA
COUNTY OF SAINT LUCIE

On _____, I, _____
DATE PLEASE PRINT VICTIM'S NAME

Have received a copy of the DOMESTIC VIOLENCE NOTICE OF LEGAL RIGHTS AND REMEDIES

available from _____ I.D. # _____ CASE # _____
NAME OF ASSISTING OFFICER

_____ _____ _____
Signature of Victim Signature of Officer I.D. Number

Port St. Lucie Police Services

121 S.W. Port St. Lucie Boulevard
Port St. Lucie, Florida 34984

Non-Emergency Police Services
(772) 871-5000

Victim Assistance Program
(772) 344-4331

- PLEASE -

FILL IN ALL

INFORMATION

ON OTHER SIDE

-- TEAR --

AND SEND TO

RECORDS

SECTION

Brian E. Reuther
Chief of Police

DOMESTIC VIOLENCE

NOTICE OF LEGAL RIGHTS AND REMEDIES AVAILABLE

OFFICER:_____

CASE NUMBER:_____

PSLPD 020404A Rev (04/11)

In other areas of the state, contact the domestic violence center nearest you from the following list:

FLORIDA DOMESTIC VIOLENCE CENTERS

City	Center	Crisis Line
Bradenton	Hope Family Services	(941) 755-6805
Bunnell	Family Life/ Safe House Women's Cntr.	(386) 437-3505
Chiefland	Another Way	(352) 493-6742
Clearwater	The Haven of R.C.S.	(727) 442-4128
Cocoa	Salvation Army D.V. Shelter	(321) 631-2764
Dade City	Sunrise of Pasco County, Inc.	(352) 521-3120
Daytona	Domestic Abuse Council, Inc.	(386) 255-2102
Delray Beach	Aid to Victims of Domestic Abuse	(800) 355-8547
Ft. Lauderdale	Women in Distress/ Broward County	(954) 761-1133
Ft. Myers	Abuse Counseling & Treatment	(941) 939-3112
Ft. Pierce	Safe Space D.V. Services	(772) 464-4555
Ft. Walton Bch	Shelter House, inc.	(850) 863-4777
Gainesville	Peaceful Paths	(800) 393-7233
Hudson	Salvation Army DV Program of W. Pasco	(727) 856-5797
Inverness	Citrus County Abuse Shelter	(352) 344-8111
Jacksonville	Hubbard House	(904) 354-3114
Kissimmee	Help Now	(407) 847-8562
Lakeland	PRC-Domestic Violence Shelter	(863) 413-2700
Leesburg	Haven of Lake and Sumter Counties	(352) 753-5800
Marathon	Domestic Abuse Shelter	(305) 743-4440
Miami	Metro-Dade Adv. for Victims	(305) 758-2546
Naples	Shelter for Abused Women	(239) 775-1101
Ocala	Creative Services	(352) 622-8495
Okeechobee	Martha's House	(863) 763-0202
Orange Park	Quigley House	(800) 339-5017
Orlando	Harbor House	(407) 886-2856
Palm Bay	Serene Harbor	(321) 726-8282
Panama City	Salvation Army D.V. Program	(800) 252-2597
Pensacola	Favor House of NW Florida	(850) 434-6600
Punta Gorda	CARE of Charlotte County	(941) 627-6000
Sanford	Safe House of Seminole	(407) 330-3933
Sarasota	SPARCC	(941) 365-1976
Springhill	Dawn Center of Hernando County	(352) 799-0657
St. Augustine	Safety Shelter	(904) 824-1555
St. Petersburg	CASA	(727) 895-4912
Stuart	Safe Space	(772) 288-7023
Tallahassee	Refuge House	(850) 681-2111
Tampa	The Spring of Tampa Bay	(813) 247-7233
W.Palm Bch	YWCA Harmony House	(561) 640-9844

NATIONAL DOMESTIC VIOLENCE HOTLINE

1-800-799-SAFE(7233)
(TTY: 1-800-787-3224)

BREAK THE SILENCE
MAKE THE CALL

DOMESTIC VIOLENCE

No one, not even someone you live with, has the right to beat or threaten you with violence. If this is happening to you, ***YOU CAN TAKE ACTION***. Knowing your legal rights and other options is the first step towards ending abuse.

LAW ENFORCEMENT RESPONSE

When a law enforcement officer investigates an allegation that an incident of domestic violence has occurred, the officer shall handle the incident pursuant to the arrest procedure provided in Section 901.15(7)(a) Florida Statutes (1997), which states that an officer may make an arrest if there is probable cause to believe that the person has committed an act of domestic violence, as defined in Florida Statutes 741.28. **This arrest decision is made by the officer. The victim does not have the authority or ability to decide that an arrest should or should not be made.**

Additionally, the Port St. Lucie Police Services Department has victim advocates who are available to assist the victim in safety planning, needs assessment, crisis intervention, and with referral information. There are also other services available countywide for victims of domestic assault. A partial listing of these services appears at the end of this pamphlet.

THE CRIMINAL COURT SYSTEM RESPONSE

Once an abuser is arrested and taken to jail, he/she will initially be held without bond. Within 24 hours, the abuser will appear before a first appearance judge, who will determine a bond amount. In determining bail, the court shall consider the safety of the victim, the victim's children and any other person who may be in danger if the defendant is released. The judge may also set special conditions, such as no contact with the victim, no alcohol, and mandating the abuser into a batterers' intervention program.

Additionally, the victim has the right to contact the State Attorney's Office to discuss the case. **Although the victim does not have the authority or ability to drop charges (the decision to prosecute is made by the State Attorney's Office),** the victim can speak with a victim advocate about what options exist, how he/she feels about the situation, and what he/she wants to happen. **The victim can and should get involved in the criminal justice process in order to ensure that his/her rights are not overlooked. You may contact the State Attorney's Office at (772) 465-3000 and ask for Victim Services.**

THERE IS A LAW TO PROTECT YOU

…if you are being physically or sexually abused, threatened by a family or household member, or you fear such abuse. The law also protects you if you are being threatened by your spouse, former spouse, or another family or household member who IS or WAS living in the same household as you. The law protects you from abuse by a person with whom you have a child in common. You need not be

married or related to the abuser to be protected under the law.

WHAT DOES THE LAW SAY?

IF YOU ARE A VICTIM OF DOMESTIC VIOLENCE, you may contact your local law enforcement agency and file a report making a criminal complaint. You also have the right to go to court and file a petition requesting an injunction for protection from domestic violence which may include, but need not be limited to, provisions which restrain the abuser from further acts of abuse; direct the abuser to leave your household; prevent the abuser from entering your residence, school, business, or place of employment; temporary custody issues; and address temporary support issues if the abuser has a legal obligation to do so. Please contact the Clerk of Courts, Domestic Violence Division at (772) 462-6911 for additional information regarding restraining order assistance.

CAN THIS LAW HELP?

Yes…if this individual has abused you physically or sexually, or if you have reason to fear that this person is about to be violent toward you. This special law in Florida enables you to get a judge to ORDER NO CONTACT.

The paper that starts this process is called a Petition for Injunction for Protection against Domestic Violence. This petition identifies the individual who is abusing you and explains to the judge your need for protection. The Clerk of Court will supply you with proper forms. Domestic Violence Injunctions (Restraining Orders) are free of charge. If you have left your home to avoid being abused, you can still file a petition.

WHAT CAN THE JUDGE DO FOR ME?

After you file your petition, the Judge can sign a Temporary Injunction, which will tell the abuser that he/she may not have contact with you. The temporary injunction is given to you by the Judge. A court date will be set for an extension hearing within 15 days. You must attend the hearing in order to have the injunction extended. During the extension hearing, the Judge may extend the injunction for an indefinite period.

WHAT DOES THE INJUNCTION DO?

Some things the Judge MAY order in the Injunction are:

- That the abuser not commit any acts of violence against you, your children, or others living with you.
- That the abuser must immediately leave the home you share.
- That the abuser must stay away from your home, school, or place of employment.
- That you have temporary custody of any children you and the abuser have together.
- That the abuser go to counseling.

The Judge can order other help, depending upon the circumstances. This is why the contents of the Petition and your attendance at all hearings is so important – so that you can tell the Judge what you need and why you need it.

If you need any assistance with crisis counseling, court advocacy or criminal justice system information, please call a counselor:

ST. LUCIE COUNTY COURTHOUSE
218 SOUTH SECOND STREET
FORT PIERCE, FLORIDA 34950
(772) 462-6900

SERVICES ARE OFFERED AT NO COST

WHAT IF THE ABUSE OR THREATS HAPPEN AGAIN?

A person who refuses to follow a judge's order can be put in jail. If the abuser disobeys the judge's order, contact the police or sheriff's department and show them the certified copy of the Injunction for Protection. In some cases, the officer will arrest the abuser. If the abuser is not arrested, the victim may go to the Clerk's Office and file an affidavit reporting the violation.

WHAT IF I HAVE MORE QUESTIONS?

Getting help is worth the effort. There are many people who will help you if you are upset, if you have questions, or if you need a safe place to stay.

The Department of Children and Families (DCF) has designated the following domestic violence center from which you may receive services:

SAFESPACE
P.O. Box 4075
Fort Pierce, Florida 34948
1-800-500-1119
24-HOUR HOTLINE

St. Lucie Outreach Center ~ (772) 464-4555
Non-emergency