

## WHAT IF I HAVE QUESTIONS?

Getting help is worth the effort and there are many people who will help you.

If you are in immediate danger of violence, call for law enforcement assistance at:

**911**

If you are upset and have questions or if you need a safe place to stay you can contact the Florida Coalition Against Domestic Violence's HOTLINE at:

**1-800-500-1119 or TDD: 1-800-621-4202**

or the State Attorney Domestic Violence Service in your area:

Alachua County .....	352-374-3670
Baker County .....	904-259-3137
Bay County .....	850-872-4473
Bradford County.....	904-966-6208
Brevard County.....	321-617-7510
Broward County.....	954-765-4133
Calhoun County.....	850-674-4580
Charlotte County.....	941-637-2104
Citrus County.....	352-341-6670
Clay County .....	904-269-6319
Collier County .....	239-252-8470
Columbia County .....	386-758-0470
Desoto County.....	863-993-4881
Dixie County .....	352-498-1248
Duval County .....	904-255-2500
Escambia County.....	850-595-4200
Flagler County .....	386-313-4300
Franklin County.....	850-653-8181
Gadsden County.....	850-627-9647
Gilchrist County .....	352-463-3406
Glades County.....	863-946-0077
Gulf County.....	850-229-6131
Hamilton County .....	386-362-2320
Hardee County.....	863-773-9290

Hendry County .....	863-612-4920
Hernando County.....	352-754-4255
Highlands County.....	863-402-6549
Hillsborough County.....	813-272-6472
Holmes County .....	850-547-2262
Indian River County .....	772-226-3300
Jackson County .....	850-482-9555
Jefferson County.....	850-342-0196
Lafayette County.....	386-362-2320
Lake County.....	352-742-4236
Lee County.....	239-533-1000
Leon County.....	850-606-6000
Levy County .....	352-486-5140
Liberty County.....	850-627-9647
Madison County .....	386-362-2320
Manatee County.....	941-747-3077
Marion County.....	352-671-5800
Martin County.....	772-288-5646
Miami-Dade County .....	305-349-5830
Monroe County .....	305-292-3400
Nassau County .....	904-879-3750
Okaloosa County .....	850-651-7260
Okeechobee County.....	863-763-5557
Orange County.....	407-836-2400
Osceola County .....	407-742-5200
Palm Beach County .....	561-355-7100
Pasco County.....	727-848-8158
Pinellas County .....	727-464-6013
Polk County.....	863-534-4800
Putnam County.....	386-329-0259
Santa Rosa County.....	850-981-5500
Sarasota County.....	941-861-4400
Seminole County.....	407-665-6000
St. Johns County.....	904-209-1620
St. Lucie County.....	772-465-3000
Sumter County.....	352-569-6650
Suwannee County.....	386-362-2320
Taylor County.....	850-584-2886
Union County.....	904-496-2832
Volusia County.....	386-239-7710
Wakulla County.....	850-926-0914
Walton County.....	850-892-8080
Washington County.....	850-638-6150

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## DOMESTIC

## VIOLENCE

Are you a victim of Physical Abuse, Emotional/Verbal Abuse, Sexual Abuse or Battery, Dating Violence, Stalking, Aggravated Stalking, or Cyberstalking? No one, not even someone you live with, has the right to beat you, stalk you, verbally abuse you, 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 toward ending the abuse.

**THERE IS A LAW TO  
PROTECT YOU**



**FLORIDA HIGHWAY PATROL**

*A State and Internationally Accredited Law  
Enforcement Agency*

If you are being physically or sexually abused or threatened by a family or household member, or you fear such abuse, or are being stalked: The law protects you if you are being abused or 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 to the abuser or related to be protected under the law.

### WHAT DOES THE LAW SAY?

**IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, repeat violence, dating violence, sexual violence, or stalking** you may ask the state attorney to file 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; award you custody of your minor child or children; and direct the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so. §741.29

### CAN THIS LAW HELP?

Yes... if this individual has abused you physically or sexually, or if you have a good reason to fear that this person is about to be violent toward you. This special law in Florida enables you to ask a judge to **ORDER** the abuser to **STOP**.

The paper that starts this process is called a ***Petition for Injunction for Protection against Domestic Violence***. This explains to the judge whom you need protection from and exactly what protection you need. You can ask for help even if you cannot afford to pay court fees. The court clerk will help you filling out the proper forms.

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 or Permanent Injunction, or both. Either type of injunction, or order, will tell the abuser that he/she may not be violent toward you. A temporary Injunction can be obtained on the same day you file your petition, without a hearing and without the abuser knowing first. A Temporary Injunction lasts for a stated period not to exceed 15 days and is given to you by the judge when you are in immediate danger of being hurt.

After this, a hearing will be set to determine if a permanent injunction is needed. You will have an opportunity to speak with a judge during this hearing. Your partner will be notified of the hearing and will have a chance to speak, as well. The terms of this injunction remain in effect until modified or dissolved.

### 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 immediately leave the home you share
- that the abuser stay away from your home if you are not living together
- that you have temporary custody of any children you and the abuser have together
- that the abuser not possess any firearms or ammunition for the duration of the injunction
- 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.

### 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. Also, you can ask the judge to hold the abuser responsible for not following the judge's order.

Florida Law, 741.31, titled "Violation of an Injunction for Protection against Domestic Violence," says that, "Any person who willfully violates the provisions of an injunction for protection against domestic violence, issued pursuant to s. 741.39 by refusing to vacate the dwelling that the parties share, or returning to said property, shall...be guilty of a misdemeanor of the second degree,..." If either of these violation takes place in the officer's presence, the officer may make an arrest and take the violator to jail.

### WHAT ABOUT STALKING?

Under the provisions of §784.048, stalking occurs when a person willfully, maliciously, and repeatedly follows, harasses, or cyberstalks<sup>1</sup> another person.

Aggravated stalking occurs when that person makes a credible threat to another person through stalking, or cyberstalks a child under 16 years of age.

<sup>1</sup>"Cyberstalk" means to communicate, or cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to the person and serving no legitimate purpose. §784.048(1)(d)