

DOMESTIC VIOLENCE IS A CRIME

Domestic Violence is when one person maintains control and power over another in a dating, marital, or live-in relationship. The means of control include physical, sexual, emotional and economical abuse, threats and isolation. While most domestic violence survivors are women, both men and women can experience domestic violence. You probably have found your ability to make decisions being taken away by the abuser. With your choices and options removed, the abuser may come to treat you like a piece of property he owns, rather than as an equal in making decisions regarding your household, children, or other matters.

Under Alaska law, it is illegal for another person related to you to hurt you physically in any way, to force you to have sex when you don't want to, to threaten to hurt or kill you or your children, or to destroy your property. Domestic violence occurs when you are physically, sexually, or emotionally abused by another person who is related to you as:

- ▶ A spouse or former spouse;
- ▶ A person you have dated, or are presently dating;
- ▶ A person with whom you have had sex;
- ▶ A person who lives, or has previously lived with you, in the same household;
- ▶ A parent, stepparent, grandparent, child or grandchild, aunt, uncle, cousin, second cousin or children of any of these persons.

Physical abuse is the use of physical force to cause pain or injury to you. It can involve biting, kicking, slapping, pushing, punching, choking (strangulation), restraining, confinement or using weapons and objects.

Sexual abuse is forcing someone to participate in unwanted sex, performing unsafe or degrading sexual activities, limiting someone's sexuality and reproductive choices, forcing someone to look at

pornography or participation in unwanted acts.

Emotional abuse is the use of words and actions that are threatening, intimidating, or scaring you into doing what they want. It can involve threats to hurt you or your family, the abuse of pets to hurt you, threats to take your children from you if you leave, destruction of objects important to you, deprivation of money, sleep, or affection, harassment at work, name-calling, making fun of you and other verbal abuse. Emotional abuse is perhaps the hardest to detect, but is just as serious as physical abuse.

SAFETY PLAN

These are some of the ways other victims have found helpful to protect themselves and their children:

- ▶ Tell friends and family that you have been abused and that you may need their help in the future.
- ▶ If the defendant has been ordered by the court to stay away from your home, ask neighbors to call the police if they see the defendant near your home. Tell them what type of car he drives. If you leave your home, advise your neighbors so they can watch your home. Tell them when you will be back and give them a number they can call if they see something suspicious.
- ▶ If you have a telephone, request that someone call you at least once a day to see if you are safe.
- ▶ Talk to your family and friends about a special password that you will use when talking to them to let them know you need them to call the police.
- ▶ If you leave the offender, stay with friends or family, or at your local shelter until you get a protective order, or other arrangements are made which make you feel safe before being alone, or returning to your residence.

- ▶ Keep a packed bag with emergency items including birth certificates, social security cards, other important papers, extra sets of car and house keys, and money.
- ▶ Talk with someone who knows about domestic violence, such as a worker at a domestic violence program. **For a domestic violence program in your area contact the Alaska Network on Domestic Violence & Sexual Assault - Main Phone: 907-586-3650 or visit www.andvsa.org.**
- ▶ If you have concerns about your safety when going to court, contact your domestic violence program advocate or your contact person in the District Attorney's Office.
- ▶ Register with the VINE system so you are notified if the abuser is released from jail by calling 1-800-247-9763 or visit www.vinelink.com.

PROTECTIVE ORDERS

Protective Orders are court orders from a judge that:

1. *May tell the abuser that he cannot:*

- ▶ Harm you in any way;
- ▶ Make threats to hurt or harass you;
- ▶ Enter your home, workplace, or a vehicle you drive;
- ▶ Drink alcohol;
- ▶ Possess a deadly weapon, such as a knife or gun, if a weapon was used to assault you.

2. *May tell the abuser he has to:*

- ▶ Leave your home, even if the abuser owns the residence;
- ▶ Go to a batterers intervention program and/or drug or alcohol counseling;
- ▶ Pay money for your support if he already has an obligation to do so;
- ▶ Pay money for the support of your children if he already has an obligation to do so

(parents always have obligation to support their own children);

- ▶ Pay medical costs caused by the domestic violence;
- ▶ Surrender all firearms to the police if the abuser used a firearm while assaulting you;
- ▶ In addition, the judge may order that you have temporary custody of your children, and order vehicles and other necessary items for your use, even if the abuser owns those items. The judge may also tell the police to go with to your home to get your personal possessions and help you get the vehicle.

APPLYING FOR A PROTECTIVE ORDER

You do not need an attorney to apply for a protective order. You can do it yourself by going to the court clerk's office, requesting a protective order packet, filling it out, and filing it with the court. Protective Orders can also be found online at www.courts.alaska.gov/shcdv.htm.

Also, domestic violence programs are available throughout Alaska to help you get a protective order. If you live in an area where you cannot get to a court clerk's office, you can contact the nearest domestic violence program to arrange to get a protective order over the telephone. In another state, you can call the National Domestic Violence Hotline at 800-799-SAFE (7233) or 800-787-3224 (TTY) if you are hearing impaired.

VIOLENT CRIMES COMPENSATION

The State of Alaska has a Violent Crimes Compensation Board, which can provide compensation to victims who have been physically or emotionally injured in a violent crime. Such compensation might include medical care for your injuries, crime victim related-counseling, wages lost by you due to injuries,

and more. You can find out how to apply by contacting the Board at:

Violent Crimes Compensation Board
1-907-465-3040 or 1-800-764-3040
www.doa.alaska.gov/vccb

OFFICE OF VICTIMS' RIGHTS

The State of Alaska's Office of Victims Rights (OVR) provides legal help to victims of crimes obtain the legal rights they are guaranteed under Alaska's Constitution and various Alaska state statutes with regard to their contacts with law enforcement and prosecuting agencies in this state. The office is staffed by attorneys and available at no cost to victims. For more information please contact:

The Alaska Office of Victims' Rights
Main Phone: (907) 754-3460
Toll Free in Alaska: 1-844-754-3460
Fax: (907)754-3469
www.ovr.akleg.gov

RESOURCES

Police – Fire – Medical Emergency: **CALL 911**

For a domestic violence program in your area:

Alaska Network on Domestic Violence & Sexual Assault - Main Phone: **907-586-3650** or visit: www.andvsa.org

National Domestic Violence Hotline at **800-799-SAFE (7233)** or 800-787-3224 (TTY) if you are hearing impaired.

If you are in need of an interpreter please let the district attorney's office know. One will be provided at no cost to you.

Project supported by funding from the Office of Violence Against Women, U.S Dept. of Justice. Points of view in this document are those of the authors and do not necessarily represent the official position or policy of the U.S. Dept. of Justice. Revised: 5/17

STATE OF ALASKA

Department of Law
Criminal Division

VICTIM WITNESS
ASSISTANCE PROGRAM

INFORMATION
ON DOMESTIC
VIOLENCE

