



Criminal Justice Standards and Training Commission

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January 20, 2016

CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION TECHNICAL MEMORANDUM 2016-01

TO: Criminal Justice Training Center Directors
Criminal Justice Agency Administrators

FROM: Director Dean Register *DR*
Criminal Justice Professionalism Division

SUBJECT: **Notice of Legal Rights and Remedies for Victims of Domestic Violence, Dating Violence, Repeat Violence, Sexual Violence, Stalking Brochure**
Derechos y Remedios Legales para Víctimas de Violencia Doméstica, Violencia de novios, Violencia Repetida, Violencia Sexual, Acecho Folleto
Effective October 1, 2015

Due to recent legislative changes, the *Notice of Legal Rights and Remedies for Victims of Domestic Violence, Dating Violence, Repeat Violence, Sexual Violence, Stalking Brochure* has been updated, effective October 1, 2015. A summary of the law is attached in both English and Spanish. Revisions to the brochure are also available in both languages.

Issued in conjunction with this memorandum, Curriculum Alert 2015-21 included changes to restrain an abuser from any contact or further acts of abuse as a "no contact" condition of pretrial release.

The updated brochure is available via download from the FDLE public website: <http://www.fdle.state.fl.us/cms/CJSTC/Publications/Notice-of-Legal-Rights-and-Remedies.aspx>

If you have questions or concerns, please contact Training and Research Manager Judd Butler at juddbutler@fdle.state.fl.us or (850)410-8654.

DR/tah

Attachment

cc: Criminal Justice Standards and Training Commission

CJSTC TECHNICAL MEMORANDUM 2016-01

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Attachment

WHAT DOES THE LAW MEAN?

You have the right to ask the State Attorney to file a criminal complaint, and you have the right to go to court and file a petition requesting an injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, or stalking if you are

- The victim of domestic violence, repeat violence, dating violence, sexual violence, or stalking
- The parent of any minor child living at home who is seeking an injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, or stalking OR
- If you have reasonable cause to believe, you or your minor child is in Imminent danger of becoming the victim of any act of domestic violence.

This may include, but need not be limited to provisions that

- Direct the abuser to leave your household
- Restrain the abuser from any contact or further acts of abuse as a "no contact" condition of pretrial release, which will prevent the abuser from being within 500 feet of your residence, vehicle, school, business, or place of employment
- Award you custody of your minor child or children
- Direct the abuser to pay support to you and the minor child or children if the abuser has a legal obligation to do so

For safety reasons, you may furnish your address to the court in a separate confidential filing when filing the petition for injunction.

You are not required to remain in a residence or household where you are a victim of domestic violence. Your address may be different from that of your partner without penalty.

¿QUE SIGNIFICA LA LEY?

Usted tiene el derecho de poner una denuncia con el Procurador del Estado, e ir a la corte y pedir una orden de protección contra la violencia domestica, violencia repetida, violencia entre novios, violencia sexual, o el acecho si usted es

- La víctima de violencia domestica, violencia repetida, violencia entre novios, violencia sexual, o acecho,
- El padre/madre del menor que está viviendo en la casa y quien pide una orden de protección contra la violencia repetida, violencia entre novios, violencia sexual, acecho, O
- Si usted tiene razones para creer que usted o su hijo menor esta en peligro de convertirse en la victima de cualquier tipo de violencia domestica.

Esto puede incluir pero no se limita a

- Instruirle al abusador que salga de su casa
- Reprimir al abusador de tener contacto o continuar actos de abuso como una condición de "no contacto " de la libertad provisional, que lo hará prohibirle al abusador que este dentro de 500 pies de su casa, vehículo, escuela, negocio, o lugar de empleo
- Dejarle a usted la tutela de los niños
- Indicarle al abusador que pague manutención para usted y los niños si el abusador tiene la obligación de hacerlo

Por razones de seguridad, usted puede darle su dirección a la corte en un documento separado y confidencial al poner la orden de protección.

Usted no está obligada a quedarse en la residencia o casa donde usted es víctima de violencia domestica. Su dirección puede ser diferente a la de su pareja sin ninguna multa.