

## Safety Planning

Below are some ideas that have helped others stay safe when living with domestic abuse.

- Keep some money hidden away, even if it's just a small amount.
- Keep a bag packed with clothes for you and the kids. You might want to keep this at a friend's house so the abuser doesn't find it.
- Keep copies of birth certificates and social security cards someplace safe so that you can get them easily if you need to leave quickly.
- Work out a signal with a neighbor that they will recognize if you need them to call 911.
- Make sure the kids know how to call 911 and are ready to do it if a violent incident occurs.
- During a fight, try to stay out of the kitchen and the bathroom. Both rooms contain items that can easily be used as weapons.
- Keep a spare set of car keys and house keys where the abuser can't find them but which you can get easily if needed.
- Make sure the GPS function on your cell phone is disabled and change your email and other computer passwords as needed.
- Remember, Caring Unlimited Advocates are available 24 hours day to help you keep you and your children safe.

**Caring Unlimited 24-Hour Hotline**  
**1-800-239-7298**

More information is available online at:  
[www.caring-unlimited.org](http://www.caring-unlimited.org)

### YOUR POLICE DEPARTMENT CONTACT

Police Dept: \_\_\_\_\_

Officer Name: \_\_\_\_\_

Phone #: \_\_\_\_\_

# HELP IS AVAILABLE



...after your partner or family member has been arrested for committing a domestic violence crime against you

A collaborative brochure of the  
York County District Attorney's  
Victim Witness Advocacy Program  
and  
Caring Unlimited  
York County's Domestic Violence Program

Made possible with funding provided by  
STOP Violence Against Women Grant #YC-02-09

## Help is available...

If your partner or family member has been arrested for committing a domestic violence crime against you, you are not alone. Domestic violence, including physical, sexual, and financial abuse, neglect and maltreatment of children and elder abuse, occurs throughout our state every day.

After an arrest has been made for a domestic violence crime, the victim of the crime is often left with many questions and wondering where to turn for information, support and assistance. Fortunately, help is available to you from Victim Witness Advocates (VWA) at the York County District Attorney's Office and from Caring Unlimited Advocates at York County's community-based Domestic Violence Program. The different kinds of support provided by each of these programs is described below.

### York County District Attorney's Victim Witness Advocacy Program

Victim Witness Advocates (VWA) work at the York County District Attorney's (DA) Office. Their job is to assist you with and throughout the criminal justice process by...

- Providing you with information about the criminal case
- Notifying you of court dates
- Gathering information from you about your feelings about final outcome of the case
- Accompanying you to criminal court hearings,
- Informing you of your rights in the criminal case
- Referring you to resources in the community to assist you through this difficult time
- Providing you with information about the Victims' Compensation Program which may be able to help you with financial assistance

You may request that your conversations with a VWA remain confidential, however there are certain types of information that the VWA is required by law to disclose to the Defendant.

**Contact a Victim Witness Advocate for information, support or assistance with a criminal case**

Alfred District Attorneys Office 324-8001  
Biddeford District Attorneys Office 282-3006  
Springvale District Attorneys Office 324-1174  
York District Attorneys Office 351-1964

### Caring Unlimited—York County's Domestic Violence Program

Caring Unlimited Advocates are available 24 hours a day to listen, provide information to help you figure out what's next and to provide the confidential, non-judgmental support and resources that you decide will be helpful to you.

- 24-Hour Hotline can help you with safety planning, emotional support and links to the services and resources you need to become safe
- Weekly Support Groups at CU Resource Centers throughout York County offer a safe place to tell your story, express your feelings and renew your strength through connection with others who understand because they've been there
- Civil Legal Assistance & Court Advocacy for help with protection orders and other legal matters needed to become safe from domestic abuse
- Emergency Shelter if you need temporary safe haven from an abuser
- Transitional Housing (supportive housing program) for survivors of domestic abuse making a fresh start after leaving an abusive relationship, and more

Caring Unlimited services are completely confidential and provided free of charge to anyone victimized in an intimate relationship.

**Contact a Caring Unlimited Advocate for help to become safe from an abusive relationship**

24-Hour Hotline  
1-800-239-7298



# An arrest has been made...now what?

Once an arrest has been made, the Defendant will have an opportunity to post bail. A Bail Commissioner will be contacted by police to set Bail and the associated Conditions of Release (also known as Bail Conditions).

If able to make bail, the Defendant will be given a court date to appear for arraignment. Bail will remain in effect until that date.

If not able to make bail, the Defendant will be transported to the York County Jail and be arraigned within the next 48 hours.

## What happens at the arraignment?

The Defendant appears before a judge to enter a plea of 'guilty' or 'not guilty'. A prosecuting attorney from the DA's office will be present and may try to negotiate a plea agreement. Before a plea is agreed upon, you will be contacted by a Victim Witness Advocate (VWA) for input. If the defendant pleads 'not guilty' or an agreement is not reached, a new court date will be set. A VWA will keep you informed of upcoming court dates and answer your questions about the criminal justice process.

## Can I drop the charges?

No. Although you are the person against whom the crime was allegedly committed, it is only a prosecutor representing the State of Maine who can dismiss criminal charges. In most cases the State of Maine pursues criminal charges after an arrest. The prosecutor's goal is to promote public safety and to hold offenders accountable for their behavior.

## What are Bail Conditions?

When someone is arrested, bail conditions are almost always placed on the Defendant. Most of the time bail conditions prohibit the Defendant from having any contact, direct or indirect, with the victim and it is a new crime if the Defendant violates bail conditions by contacting you in any way. Indirect contact means that the Defendant can't pass any messages to you through any other person. Most of the time bail conditions state that the Defendant cannot go to your residence, place of employment or school.

## Are Bail Conditions the same as a Protection Order?

No. Bail conditions are the conditions of release associated with a criminal arrest in the case of the State of Maine vs. Defendant. A Protection Order is a separate civil action and one person is the Plaintiff and the other is the Defendant. Criminal charges and protection orders are totally separate. Sometimes bail conditions and protection orders are in effect at the same time; however there doesn't have to be a criminal charge pending in order for someone to request a protection order.

## Should I get a Protection From Abuse Order?

If you are considering obtaining a Protection from Abuse order Caring Unlimited can help you with this. You can also go directly to the Court to obtain the paperwork to get a protection order. Any violations of protection orders are criminal violations and should be reported to the police right away.

## Can I get a copy of the Bail Conditions?

Yes. They are public record. A copy can be obtained from a VWA or through the Clerk of the Courts.

## What should I do if the Defendant contacts me?

If the bail conditions prohibit contact and the Defendant contacts you in any way (in person, by phone, text, mail or email) or has anyone else contact you, you should report this to the police immediately. Do not delay reporting violations of bail conditions or violations of protection orders.

## How can I be notified if the Defendant is released?

You must call the Jail at 324-9001 and ask for 'Booking'. When you are connected indicate that you are a victim in a domestic violence case and that you request to be notified when the Defendant is released. You must always keep the Jail and the Victim Witness Advocate informed about how you can be reached. Jail policy requires that your contact information be kept confidential.

## What if I want to have contact?

Only a judge can change bail conditions. It is the Defendant or the Defendant's attorney who must request that the Court amend bail conditions to change the no contact order. If the Defendant wishes to have contact with you, he/she will file a motion to amend the bail conditions. A hearing date will be scheduled. You may appear at that

hearing but it is not required. If a motion is filed, the VWA will contact you to get your input.

## Should I talk to the Defendant's Lawyer?

You are not required to speak to the Defendant's lawyer or a private investigator. It is not against the law for the Defendant's lawyer or a private investigator to contact you. However, this is entirely your decision.

## What if I seek medical treatment?

If you seek medical treatment for injuries related to the incident, it is important that you inform the police that you were treated and sign a medical release so that the medical professionals can share information about your injuries and treatment with the authorities.

## Can I get restitution or help with my financial loss?

Maybe. The Court may require that the Defendant pay restitution for medical bills or property damage. You may also be eligible for the Victims' Compensation Program which may be able to assist you with medical bills, counseling expenses or lost wages as a result of this incident. Your VWA can give you more info.

## Will I have to testify?

Most witnesses and victims of criminal offenses never have to testify in court. If you are called to testify, the VWA will spend time with you to answer your questions and help you get prepared. It is important that you stay in touch with the VWA in case you are called to testify.

## What will happen to the Defendant?

Every case is different and treated individually in the criminal justice system. What happens depends on the incident itself, the Defendant's prior history and possibly other factors. The VWA will talk with you about what you'd like to see as a final disposition. You can ask that your thoughts about disposition be kept confidential. If you haven't heard from a VWA, please call her to discuss your concerns.

## What are my rights as a victim of crime?

You have the right to address the Court at sentencing and the right to be notified of plea offers when practicable. You also have the right to be notified of the Offender's release from Jail or Department of Corrections. Please ask the VWA about how to enforce these rights.

# How much danger am I in?

Several risk factors have been linked to the likelihood of serious harm or murder in relationships where domestic violence occurs. No one can predict with certainty what will happen in your particular situation, but these risk factors can help you assess for yourself how much danger you are in.

- Has the physical violence increased, either in how often it happens or in how bad it is?
- Does the abuser own a gun?
- Has the abuser ever threatened you with any weapon?
- Have you left the abuser in the past year?
- Is the abuser unemployed?
- Has the abuser threatened to kill you?
- Has the abuser avoided being arrested for domestic violence?
- Do you have a child that is not his biological child?
- Has the abuser ever forced you to have sex when you didn't want to?
- Does the abuser ever try to choke you?
- Does the abuser use illegal drugs?
- Is alcohol a problem for the abuser?
- Does the abuser control all or most of your daily activities? (For example, who you can be friends with, when you can see your family, how much money you can use, when you can take the car?)
- Is the abuser constantly and violently jealous of you?
- Has the abuser ever hit you when you were pregnant?
- Has the abuser ever threatened to commit suicide?
- Does the abuser threaten to harm you or the kids?
- Do you believe the abuser is capable of killing you?
- Does the abuser follow you or spy on you, leave threatening notes or messages, destroy your property or call you when you don't want him to?

The more 'Yes' answers you have, the greater your danger and the more likely it is that you could be seriously harmed or killed by this person.

Please take steps to plan for your safety. If you'd like a Caring Unlimited Advocate to help you with this, please call CU's 24-Hour Hotline at 1-800-239-7298.