

**Information for Victims
of
Domestic Violence,
Sexual Assault
and Stalking**



**Police Officers are
Here to Help**

This publication was released by the Department of Public Safety, Division of the Alaska State Troopers, produced at the cost of ____ per copy to educate victims of domestic violence, sexual assault, and stalking about thier rights and services available to them through out the state. This publication was printed in Anchorage, Alaska.

Introduction

This booklet is designed to provide victims of domestic violence, sexual assault and stalking information regarding their rights and the specific duties of police officers in these cases.

Depending on your relationship with your abuser or the suspect/defendant in your case only certain portions of this booklet may be useful to you. The officer providing you this booklet should inform you which portions of the booklet apply to your case.

Section I: Domestic Violence

*** Police Officers Are There To Help**

If you are a victim of domestic violence, and the police respond to assist you, they are required by law to read certain portions of this booklet to you. These portions are highlighted in yellow. The other information is provided for your additional benefit.

If you are a victim of domestic violence and you believe that law enforcement protection is needed for your physical safety, you have the right to request that the officer assist in providing for your safety, to include asking for an emergency protection order.

You may also ask the officer to assist you in obtaining essential personal belongings like clothes, toiletries, or medication for you and or your child(ren) and locating and taking you to a safe place, including a designated meeting place or shelter, the residence of a household member or friend, or a similar place of safety.

If you or your child(ren) are in need of medical treatment you may ask the officer to assist you in obtaining medical treatment.

A domestic violence/sexual assault program can further the efforts of the police in providing shelter, crisis intervention, legal advocacy, assistance and other resources. Some of those are listed under “A Domestic Violence/Sexual Assault Program Is There To Help.”

*** The Court Is There To Help**

You also have the right to file a petition in court requesting a protective order that may include any of the following provisions:

1. Prohibit your abuser from threatening to commit or committing further acts of domestic violence, stalking or harassment.
2. Prohibit your abuser from telephoning, contacting, or otherwise communicating with you, directly or indirectly.
3. Remove and exclude your abuser from your residence, regardless of ownership of the residence.
4. Order your abuser to stay away from your residence, school, place of employment, or any other specified place that you or another designated household member go to be safe.

5. Prohibit your abuser from using or entering your vehicle or a vehicle you occupy.

6. Prohibit your abuser from using or possessing a deadly weapon.

7. Direct your abuser to surrender any firearm owned or possessed by that person if the court finds they were in the actual possession of or used a firearm while the abuse was occurring.

8. Request a peace officer to accompany you to your residence to assure your safe possession of the residence, vehicle, or other items, including a pet (regardless of ownership), or to ensure your safe removal of personal items from the residence.

9. Give you temporary custody of a minor child and arrange for visitation with a minor child if the safety of the child and the petitioner can be protected.

10. Prohibit your abuser from consuming controlled substances.

11. Require your abuser to pay support for you or a minor child or a pet in your care.

12. Require your abuser to reimburse you for your expenses caused by domestic violence, including medical bills, or for your costs in getting a protective order.

13. Order your abuser to participate in a Department of Corrections approved intervention program for batterers.

14. Order other relief the court determines to be necessary for your safety.

***Protective Orders**

The forms you need to obtain a protective order are available from the police or nearest court. It is not necessary to have an attorney to obtain a protective order, but you may consult an attorney if you choose.

Forms are also available on line at www.state.ak.us/courts/forms.htm and this website also offers directions on filing for an order.

If you would like help obtaining a protective order, you may call your local domestic violence/sexual assault program, law enforcement agency and/or prosecuting agency in your area. These may be indicated on the back of this booklet.

*** Prosecuting Agencies Are There To Help**

If the perpetrator has been charged, and you would like to follow the progress of the case, you may contact the nearest District Attorney's Office, or Municipal Prosecutor's Office. They may also have a designated victim/witness coordinator who is available to assist you during the length of the case.

***Violent Crimes Compensation Board**

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
P.O. Box 110230
Juneau, AK 99811-1200
by phone at 1 (800) 764-3040,
or by internet at [www.doa.alaska.gov/
vccb/home.html](http://www.doa.alaska.gov/vccb/home.html)*

Office of Victims' Rights

OVR provides legal help to crime victims in obtaining the rights they are guaranteed under Alaska's constitution and laws with regard to their contacts with all law enforcement and prosecuting agencies of the state. There is no charge for this legal assistance.

Alaska Office of Victims' Rights

1007 West 3rd Ave. Suite 205

Anchorage, AK 99501-1936

Phone: 1-907-754-3460

Fax: 1-907-272-2640

Toll Free: 1-844-754-3460

www.officeofvictimsrights.legis.state.ak.us/

Victim Information & Notification Everyday (VINE)

Vine is a free and anonymous service through which victims of crime can use the telephone or internet to search for information regarding their offender's custody status and register to receive telephone and email notification when their offender's custody status changes.

Registration for automatic notification can be done one of two ways: Telephone or Web. To register by telephone, call the Offender Custody Information Toll Free number: (800) 247-9763. Web registration can be accomplished via VINELink at www.vinelink.com.

If you are not sure you are registered or need additional victim assistance, call the Department of Corrections Victim Service Unit at (877) 741-0741.

VINE is currently available in 47 states shown on the interactive map located on VINELink (www.vinelink.com). If your offender is in custody in a state that participates in VINE, you should be able to locate custody information on VINELink. Additional information about VINE can be located at www.appriss.com/VINE.html.

IMPORTANT: VINE IS AN INFORMATIONAL SYSTEM. DO NOT DEPEND ON VINE OR ANY OTHER PROGRAM FOR YOUR SAFETY

Definition of Domestic Violence Relationships

Domestic violence is defined by the State of Alaska by your relationship with your abuser or the suspect/defendant in your case. The relationships that define domestic violence are as follows:

1. adults or minors who are current or former spouses (husband/wife or ex-husband/ex-wife)
2. adults or minors who live together or have lived together (roommates)
3. adults or minors who are dating or have dated (boyfriend or girlfriend)
4. adults or minors who are engaged or have engaged in a sexual relationship (consensual)

5. adults or minors who are related to each other up to the fourth degree of consanguinity, whether of the whole or half blood or by adoption (first cousin or closer, including brothers, sisters, aunts, uncles and grandparents)
6. adults or minors who are related by marriage or formerly related by marriage (mother or father in law, step brother or sister, brother or sister in law)
7. persons who have a child of the relationship
8. minor children of a person in a relationship described in 1-7

Non-Domestic Violence Relationships

If you **do not** have one of the defined relationships with the suspect/defendant in your case and your case is a stalking or sexual assault case then you should review the information specific to stalking and/or sexual assault victims (section 2 and 3 of this booklet). Examples of relationships that may not qualify as domestic violence are:

1. friend or former friend
2. co-worker or former co-worker
3. supervisor or former supervisor
4. employee or former employee
5. neighbor or former neighbor
6. classmate or former classmate
7. casual acquaintance
8. legal guardian
9. corrections facility employee
10. client or former client
11. stranger

Mandatory Arrest

When law enforcement becomes aware of an incident of domestic violence they are required to investigate. Officers/troopers are required to make an arrest if there is evidence a crime involving domestic violence occurred; the perpetrator has been identified and can be located within 12 hours of the incident. After 12 hours, officers/troopers may arrest the perpetrator with or without a warrant. Evidence includes your statement, the statements of others, injuries, damage to property, etc. It is the responsibility of the state or municipal prosecuting agencies to “press charges.” If there is probable cause a crime has been committed only the police and the prosecutor, not the victim, have the decision to arrest.

Additional Information for Victims of DV

Please turn to section IV in this booklet, starting on page 25, to obtain additional information regarding your rights and services available in your community.



Section II: Stalking and Sexual Assault Protective Orders

Police Officers Are There to Help

If you are a victim of stalking or sexual assault **that is not a domestic violence crime** and police officers respond to assist you, they are required to give this booklet to you.

If you are a victim of stalking or sexual assault **that is not a domestic violence crime** a police officer may apply with your consent (permission) for an emergency stalking or sexual assault order (72 hours).

Pages 13-15 of this booklet define domestic violence relationships and non-domestic violence relationships.

Protective Orders

If you are a victim of stalking or sexual assault **that is not a domestic violence crime**, you have the right to file a petition in court requesting a protective order that may include any of the following provisions:

1. Prohibit your abuser or stalker from threatening to commit or committing stalking or sexual assault.
2. Prohibit your abuser or stalker from telephoning, contacting, or otherwise communicating directly or indirectly, with you or a designated household member of yours (such as your child or spouse) specifically named by the court.

3. Direct the respondent to stay away from your residence, school, place of employment, or any specified place you frequent; however, the court may order your abuser or stalker to stay away from their own residence, school, or place of employment only if they have been provided actual notice of the opportunity to appear and be heard on the petition.

4. Order other relief the court determines to be necessary to protect you or your designated household member.

Long-term stalking and sexual assault protective orders last for six months.

The forms you need to obtain a protective order are available from the police or the courts. Forms are also available on line at www.state.ak.us/courts/forms.htm and this website also offers directions on filing for an order. It is not necessary to have an attorney to obtain a protective order, but you may consult an attorney if you choose.

If your abuser or stalker violates any provisions of the order, it is very important that you contact the police immediately by calling 911 or immediately call the police.

Prosecuting Agencies Are There To Help

If the perpetrator has been charged, and you would like to follow the progress of the case, you may contact the nearest District Attorney's Office, or Municipal Prosecutor's Office. They may also have a designated victim/witness coordinator who is available to assist you during the length of the case. You can find the contact information for your local prosecutor's office on the back of this booklet.

Section III: Rights of Sexual Assault Victims

As a victim of a sexual assault or a sexual abuse of a minor, you have specific rights under state law. Below is a summary of some of your rights:

- You may not be charged for the forensic portion of the sexual assault exam;
- If penetration is an element of the offense, you may petition the court to order that your abuser (defendant) submit to a blood test for the presence of HIV and other sexually transmitted infections. You are entitled to free counseling, testing and referral to appropriate health care facilities and support services;

- Your name may not be used in court documents unless the court allows. Instead, your initials will be used;
- Evidence of your past sexual history or reference to it can not be used in court (inadmissible) unless the court finds a specific relevance;
- Your communications (conversations) with your victim counselor/advocate are confidential, unless the privilege has been waived or an exception applies.

Section IV: Additional Information on Rights and Services

- Your residence and businesses addresses and telephone numbers are confidential;
- You are not required to speak with defense counsel (your abusers's attorney);
- You may request a prosecutor or other person to be present during an interview with defense counsel or/and investigator for the defense;

If contacted by defense counsel or/an investigator for the defense, it is okay to ask for identification of the person (name and where they work) and a number where you can call them back.

- You may request to participate at your abuser’s initial appearance before the court when bail conditions are set. If the case is a domestic violence or sexual assault case, the court must consider your comments when making a decision to release your abuser.



As a victim of a crime you also have the right to be told of all hearings regarding the defendant, which include the

- (1) initial appearance or arraignment,
- (2) bail hearing,
- (3) pretrial motions,
- (4) guilty or change of plea,
- (5) trial, and
- (6) sentencing.

You also have the choice to be at the scheduled hearings or not. You may be present in person or via the telephone. Victim rights allow that you may address the court at bail hearings, change of plea, trial, and sentencing.

The defendant's initial appearance or arraignment for your case is listed on the back of this booklet.

For a detailed listing of all of the rights offered to victims of crime in Alaska go to www.officeofvictimsrights.legis.state.ak.us/

If you do not have internet access ask your victim advocate, prosecutor or victim witness coordinator to help you get a copy.

If you have any questions about your rights you may contact your victim advocate, the prosecutor or the victim witness coordinator. Phone numbers for these persons and their agencies are listed in the back of this booklet. You may also contact the Alaska Office for Victims' Rights (OVR). OVR's contact information is listed in the back of this booklet.

A Domestic Violence/Sexual Assault Program Is There To Help

Call the agency identified on the back of this booklet. If the agency is not identified you may call the nearest law enforcement agency for the name and phone number of the shelter or program in your area. An advocate from the program may provide a number of the following:

- Safe shelter and safety planning
- Legal information
- Help in filling out protective order paperwork
- Attend court hearings with you
- Accompany you to the hospital or clinic for a sexual assault exam
- 24 hour crisis line
- Transportation to the shelter
- Help file for Violent Crime Compensation

- Clothing and household items
- Books and videos on domestic violence, sexual assault and child abuse
- Access to other community resources like:
 - housing
 - social services
 - education, counseling
 - alcohol/drug treatment/child care
 - employment
 - medical treatment
 - legal assistance

Confidentiality

Alaska has confidentiality laws protecting you if you decide to seek services from a domestic violence or sexual assault program. These programs maintain strict principles of confidentiality. The laws in Alaska protect communications between victims of domestic violence and sexual assault and advocates except in limited circumstances.

What Is An Advocate?

The role of the advocate is to provide support, information, and resources to the victim. Advocates can assist with the many different areas listed on the previous pages. An advocate is one who listens and is non-judgmental. It is important to remember that an advocate will only speak on behalf of the victim at the victim's request and direction. In an effort to ensure the system runs smoothly for the victim, an advocate can help maintain a positive working relationship with members of law enforcement, prosecution and the courts. Advocates do not conduct investigations, make assessments of the parties involved or routinely testify in court. Advocates are available 24 hours a day to help victims.

You Can Help To Protect Yourself

- Talk with a trusted friend or relative.
- Find out about shelters and safe houses BEFORE you need them.
- Have photos taken of your injuries; you can use them later.
- Have a signal with your neighbor for when you need help and ask your neighbor to call the police if they hear suspicious noises coming from your house.
- Keep money, important papers, clothes, car keys and other essential items in a safe place.
- Teach your children to use the telephone or radio to contact the police in case of an emergency.
- Call the police when it is safe and you can get a protective order from the court.
- Meet with an advocate from a shelter or other program designed to help, or with a friend and make a safety plan. Practice this plan with your children.

Know That The Abuse Is Not Your Fault

- Know that nothing you do causes the abuse.
- Know that no one has the right to abuse you.
- Know that you are not the only one being affected, children from violent homes experience depression, anxiety, fear, low self-esteem and guilt.
- Know that most children raised with abuse learn to use violence as a way to control others by using power and force. Violence allows problems to continue and the violence escalates over time.

- Know that relationships based in fear, power, and control are abusive.
- Know that others understand why you would want to stay and that leaving a relationship is not easy.
- Know that abuse often gets worse, more intense, more frequent. Even ending the relationship is not enough to protect you from danger without support from others. Know that help is available.

Domestic Violence & Sexual Assault Victim Service Programs

ANCHORAGE

AWAIC

Abused Women's Aid
in Crisis

100 W 13th Avenue
Anchorage, AK 99501
907-279-9581 (Office)

24-Hour Crisis Line:
907-272-0100

www.awaic.org

STAR

Standing Together
Against Rape

1057 W Fireweed Ln, Ste 230
Anchorage, AK 99503
907-276-7279 (Office)

24-Hour Crisis Line:
907-276-7273

800-478-8999 (Toll-Free)
www.staralaska.com

VFJ

Victims for Justice

1057 West Fireweed
Lane, Suite 101

Anchorage, AK 99503
907-278-0986

www.victimsforjustice.net

BARROW

AWIC

Arctic Women in Crisis
4470 North Star Street
Barrow, AK 99723
24-Hour Crisis Line:
907-852-0261 (Local)
800-478-0267 (Toll-Free)
www.north-slope.org

CORDOVA

CFRC

Cordova Family
Resource Center
P.O. Box 863
Cordova, AK 99574
24-Hour Crisis Line:
907-424-5674 (Local)
866-790-4357 (Toll-Free)
www.cordovaalaska.org/

BETHEL

TWC

Tundra Women's Coalition
P.O. Box 2029
248 6th Avenue
Bethel, AK 99559
24-Hour Crisis Line:
907-543-3456 (Local)
800-478-7799 (Toll-Free)
www.tundrapeace.org

CRAIG

HOPE

Helping Ourselves
Prevent Emergencies
404 Spruce Street
Craig, AK 99921
24-Hour Crisis Line:
907-401-1611 (Local)
hope4pow.org

DILLINGHAM

SAFE
Safe and Fear Free
Environment
P. O. Box 94
21 G Street West
Dillingham, AK 99576
907-842-2320 (Office)
24-Hour Crisis Line:
800-478-2316
www.safebristolbay.org

EMMONAK

Emmonak Women's
Shelter
P.B. Box 207
Emmonak, AK 99581
24-Hour Crisis Line:
907-949-1434 (Local)
www.emmows.org

FAIRBANKS

IAC
Interior Alaska Center
for Non-Violent Living
726 26th Avenue
Fairbanks, AK 99701
24-Hour Crisis Line:
907-452-2293 (Local)
800-478-7273 (Toll-Free)
www.iacnvl.org

HOMER

South Peninsula Haven
House
3776 Lake St, Ste 100
Homer, AK 99603
24-Hour Crisis Line:
907-235-8943 (Local)
800-478-7712 (Toll-Free)
www.havenhousealaska.org

JUNEAU

AWARE

Aiding Women in Abuse
and Rape Emergencies
P.O. Box 20809
Juneau, AK 99802
24-Hour Crisis Line:
907-586-1090 (Local)
800-478-1090 (Toll-Free)
www.awareak.org

KETCHIKAN

WISH

Women in Safe Homes
P.O. Box 6652
Ketchikan, AK 99901
24 Hour Crisis Line:
907-225-9474 (Local)
800-478-9474(Toll-Free)
www.ketchikanwish.org

KENAI/

SOLDOTNA

LSC

The LeeShore Center
325 Spruce Street
Kenai, AK 99611
24-Hour Crisis Line:
907-283-7257 (Local)
www.leeshoreak.org

KODIAK

KWRCC

Kodiak Women's
Resource & Crisis Center
P.O. Box 2122
Kodiak, AK 99615
24-Hour Crisis Line:
907-486-3625 (Local)
888-486-3625 (Toll-Free)
www.kwrcc.org

KOTZEBUE

MFCC
Maniilaq Family Crisis
Center
P.O. Box 38
Kotzebue, AK 99752
24-Hour Crisis Line
907-442-7879 (Local)
1-888-478-3969 (Toll-Free)
www.maniilaq.org

NOME

BSWG
Bearing Sea Women's
Group
P.O. Box 1596
Nome, AK 99762
24-Hour Crisis Line:
907-443-5444 (Local)
800-570-5444 (Toll-Free)
www.beringseawomensgroup.org

PALMER

AFS
Alaska Family Services
1825 S. Chugach St
Palmer, AK 99645
24-Hour Crisis Line:
907-746-4080 (Local)
866-746-4080 (Toll-Free)
www.akafs.org

PETERSBURG

WAVE
Working Against
Violence for Everyone
PO Box 415
Petersburg, AK 99833
24- Crisis Line:
907-518-0555
www.petersburgwave.org

SEWARD

SCS

Seaview Community
Services

302 Railway Avenue

Seward, AK 99664

24-Hour Crisis Line:

907-224-5257 (Local)

888-224-5257 (Toll-Free)

www.seaviewseward.org

SITKA

SAFV

Sitkans Against Family
Violence

P.O. Box 6136

Sitka, AK 99835

24-Hour Crisis Line:

907-747-6511 (Local)

800-478-6511 (Toll-Free)

www.safv.org

UNALASKA

USAFV

Unalaskans Against
Sexual Assault

& Family Violence

P.O. Box 36

Unalaska, AK 99685

24-Hour Crisis Line:

907-581-1500 (Local)

800-478-7238 (Toll-Free)

www.usafved@artic.net

VALDEZ

AVV

Advocates for Victims
of Violence

P.O. Box 524

Valdez, AK 99686

24-Hour Crisis Line:

907-835-2999 (Local)

800-835-4044 (Toll-Free)

www.avvalaska.org

*** Important Information**

Trooper/Officer (name and agency):

Contact #:

Law Enforcement Case #:

Domestic Violence/Sexual Assault
Program:

District Attorney's/Prosecutor's Office:

*** Initial Appearance Notice**

The defendant's initial appearance or arraignment for your case will occur:

Date:

Time:

Location: