

## Protecting yourself from domestic violence

If you live with someone who abuses you or if someone is stalking you, you need to take immediate measures to protect yourself. You're in extra danger if your abuser or stalker talks about murder or suicide. You're also in particular danger if you are thinking about leaving an abusive relationship.

Because of the risk of being seriously hurt or killed when leaving an abusive relationship, it's important to develop a safe plan for departure.

The **Massachusetts Domestic Violence Hotline** is **1-SAFELINK (877-875-2020)**. People who are staffing the phones can advise you on how to protect yourself refer you to services and domestic violence shelters.

### If you're still living with your abusive partner:

**Know your abuser's red flags. Be on alert for signs and clues that your abuser is:**

- ◆ Getting upset and may explode in anger or violence. Come up with several believable reasons you can use to leave the house (both during the day and at night) if you sense trouble brewing.
- ◆ Identify safe areas of the house. Know where to go if your abuser attacks or an argument starts. Avoid small, enclosed spaces without exits (such as closets or bathrooms) or rooms with weapons (such as the kitchen). If possible, head for a room with a phone and an outside door or window.
- ◆ Be prepared to leave at a moment's notice. Keep the car fueled up and facing the driveway exit.

- ◆ Hide a spare car key where you can get it quickly. Have emergency cash, clothing, and important phone numbers and documents stashed in a safe place (at a friend's house, for example).
  - Practice escaping quickly and safely. Rehearse your escape plan so you know exactly what to do if under attack from your abuser. If you have children, have them practice the escape plan also. Come up with a code word. Establish a word, phrase, or signal you can use to let your children, friends, neighbors, or co-workers know that you're in danger and the police should be called.
  - Make and memorize a list of emergency contacts. Ask several trusted individuals if you can contact them if you need a ride, a place to stay, or help contacting the police. Memorize the numbers of your emergency contacts, and your local domestic violence hotline.
  - Keep change and cash on you at all times. Know where the nearest public phone is located, and have change available so you can use it in an emergency situation to call for help. Also try to keep cash on hand for cab fare.
- Cell phones which are not activated are still capable of calling 9-1-1. Save your old phones or seek assistance from Springfield Police Department Domestic Violence coordinator to obtain a phone.

**THERE IS NEVER AN EXCUSE FOR VIOLENCE**

## SPRINGFIELD POLICE DEPARTMENT

**Zero Tolerance For Domestic Violence**



**DOMESTIC VIOLENCE  
THE LAW AND YOUR  
RIGHT TO BE SAFE**



*William J. Fitchet*  
**POLICE COMMISSIONER**

## Domestic Violence

Domestic violence or family violence is the abuse of power and control. It is behavior used by one person to control another through force or threats. **A batterer makes a choice to:**

- strike
- hit
- kick
- punch
- threaten / intimidate

Domestic violence includes physical, verbal and sexual attacks and threats. These violent acts are criminal and the batterer can be prosecuted for committing them. These behaviors are a means of controlling the victim's thoughts, feelings and behavior. The violence does not lessen over time. The threats and/or physical abuse generally happen more often with time, last longer and cause greater physical injuries.

Emotional abuse and insulting words are almost always part of the abuse pattern, but are not considered criminal acts. The wounds from these injuries, are often more difficult to heal.

Domestic violence is not caused by or provoked by the actions or inactions of the victim. Alcohol or drug abuse, depression, lack of money, lack of a job, mental illness or abuse as a child do not directly cause domestic violence. However, these factors may escalate or exacerbate the risk of violence. Many abusers blame the victim for their violent acts and do not take responsibility for their abusive behavior.

### The Legal Definition Of Abuse Chapter 209A, the Massachusetts Abuse Prevention Act, defines abuse as:

- ◆ Actual physical abuse
- ◆ An attempt to harm another
- ◆ Placing another in fear of serious physical harm
- ◆ Causing another to engage in sexual relations by force, threat of force or duress.

## The 209A Order

An Abuse Prevention Order, called a "209A Order" or a "Restraining Order," is a civil court order that provides protection from physical or sexual harm caused by force, or threat of harm from a family or household member. An **Order** can be obtained against:

- ◆ A spouse or former spouse
- ◆ A present or former household member
- ◆ A relative by blood or a present or former relative by marriage
- ◆ The parent of a minor child, even if the parents never married or lived together
- ◆ A person involved in a substantive dating relationship with the victim.

## Obtaining a 209A Order

A 209A Order can be obtained in any District, Superior or Probate and Family Court in Massachusetts. **An emergency 209A order is available through any police department after court hours and on weekends.**

A sworn statement (**affidavit**) describing the facts of a recent or past incident (s) of abuse is required on the application or complaint form for a 209A Order. It is also important to provide information about the abuser, such as work address, telephone, birth date and social security number.

**Guns or weapons will be ordered turned over to the police, along with a license to carry the guns and FID card.** The police can also search for and take custody of any gun or weapon if given permission to search your home.

## Court Orders Under c. 209A

The court can order the abuser to:

- stop or refrain from abuse
- have no contact with the victim
- vacate and remain away from a house or workplace
- order medical costs and property damage payments, if needed the court can also award temporary support and custody of minor children to the victim.

### Violation of the Order

Once a **209A Order** is issued, violation of its terms is a criminal offense and police officers must arrest if they believe or can see that the terms of the order were violated. If the abuser violates the order, **call** the police immediately, and explain how it was violated; for example: a punch, slap, threat, entering the house or apartment or refusing to leave, or any contact or third party contact at home, the workplace, by telephone, mail or in person. The abuser is subject to arrest if any contact with the victim is made, even if the victim initiates the contact. The court can modify or vacate the Order on request.

### For assistance with any Domestic Violence issues you may call the following numbers

**Springfield Police Department Domestic Violence  
Coordinator: Brenda Lopez  
413-787-6888**

**Springfield Police Department  
Youth and Domestic Violence Bureau  
413-787-6360**

**Hampden County District Attorney's Office  
Domestic Violence Intervention Unit  
413-747-4826**

**YWCA ARCH Program 413-733-7100  
Safe Passage 413-586-1125**