

Victim's Safe Plan

1. Pack a suitcase to store with a friend or neighbor. Include a change of clothing for you and your children, toilet articles, and an extra set of keys to the house and car.
2. Keep special items in an easy-to-locate but safe place, so that you can take them with you on short notice. These items should include medicine and prescriptions, ID, extra cash, a checkbook, savings account book, credit cards, legal documents and Social Security cards or numbers, and car keys.
3. In case of an emergency know exactly where you will go and how to get a family member or friend to confidentially help you.
4. Know where you will go and what you will do if violence occurs. Call your doctor or go to an emergency room if you think you are hurt.
5. A Victim Advocate can refer you to counseling, shelter and other services. To talk to a Sheriff's Office Victim Advocate call 636-3250.
6. To report abuse or a violent incident call the Public Safety Dispatch 637-0893. Physical abuse is a crime, even if you are living with the abuser.
7. You should not clean yourself up or clean the scene of the abuse, nor do anything that might alter or destroy any evidence until it has been witnessed, recorded and/or preserved by a Deputy Sheriff. Evidence includes: blood stains, hair samples, semen samples, grab marks, bruises, scratches, torn clothing, damaged or tipped over furnishings, alcohol containers, pictures of the victim and surroundings, x-rays, doctors' reports, and witness statements by you and anyone else who saw or heard the violence.

Carbon County Sheriff's Office

Deputy:

Case Number:

Important Phone Numbers

Emergency 911

Shelter (24 hour) 637-6589

or 636-2360

Legal Services

Utah Legal Services 1-800-662-4245

7th District Court 636-3400

Counseling Services

Four Corners Mental Health . 637-2358

Public Safety Dispatch

..... 637-0893

..... 637-0890

Carbon County Sheriff's Office

..... 636-3251

Victim Advocate 636-3250

*Victim Advocate
Denna Fausett
240 W. Main
Price, Utah
636-3250*

Carbon County Sheriff's Office



DENNA FAUSETT
Victim/Witness Coordinator

240 W. Main Street
Price, Utah 84501

denna.fausett@carbon.utah.gov
Office (435) 636-3250
Dispatch (435) 637-0890
Fax (435) 636-3212

Domestic Violence



Victim Rights

*East Carbon Police Department
Chief Sam Leonard
888-6613*

Deputy Sheriff Action

When a Deputy Sheriff responds to a call and has probable cause to believe a domestic violence crime has been committed, the Deputy must begin the criminal charging process against the abuser.

The Deputy Sheriff shall arrest and take the abuser into custody if the Deputy has probable cause to believe that:

- 1) the abuser may continue to hurt the victim;
- 2) the abuser has recently caused serious injury to the victim; or
- 3) the abuser has violated a protective order.

The Deputy shall also arrange for the victim, and any other family members residing with the victim, to obtain emergency housing, shelter, and/or medical treatment if needed.

Following the incident the victim can contact the Sheriff's Office Records Unit for a copy of the Deputy's report. Victims may receive a free copy of the report depending on State and Federal disclosure guidelines.

If the abuser is arrested, the Sheriff's Office will attempt to notify the victim if the abuser is released from jail. An abuser may not be released from jail unless ordered by the court, or the abuser signs a statement agreeing to:

1. Have no contact with the victim.
2. Not threaten or harass the victim.
3. Nor enter the victim's residence or any other place occupied by the victim.

It is a new crime for the abuser to break the terms of release and the abuser can be re-arrested.

PROTECTIVE ORDERS

A protective order is issued by a judge and is designed to provide immediate protection to a victim of domestic violence. It prohibits an abuser from having any contact with the victim, threatening the victim, or entering onto the property of the victim.

1. An **Ex parte Protective Order** can be issued the day the victim asks for it, without the abuser being present. Once the abuser is given a copy of the order it is in effect until a court hearing is held, whether the abuser is invited to be present or not. This order can require the abuser to immediately leave and not return to the residence, and avoid any further contact with the victim at the victim's home or employment. You have the right to legal counsel at the Protective Order Hearing. This can be obtained by Legal Aid, Private counsel or Pro se (yourself).

2. After the court hearing, the judge can issue a Protective Order which can contain additional restrictions against the abuser and remains in effect for 150 days. If more than 150 days is necessary, explanation in writing must be attached to the Verified Petition.

An alleged victim of domestic violence may waive in writing any or all of the conditions of release that the alleged abuser signs

How to obtain PROTECTIVE ORDERS

1. Fill out a Protective Order Petition with the District Court nearest to where the victim or the abuser lives, or where the abuse or domestic violence took place. Court clerks or a Victim Advocate will assist the victim in this process.
2. Once the petition is filled out, a judge will review the petition and decide whether an immediate (ex parte) protective order should be issued. The court clerk will then set a court hearing within 20 days at which time both the victim and abuser are to appear.
3. The court will then deliver the order to the appropriate law enforcement agency to have it personally served on the abuser.
4. At the court hearing the judge decides whether to extend the protective order and determines how long it will be necessary.

A protective order can require the abuser to:

- Immediately leave the victim's home;
- Not further harm the victim or any other family members;
- Avoid any personal, telephone, written, or indirect contact with the victim;
- Stay away from the victim's employment;
- Or any other relief necessary for the safety and welfare of the victim or family member.

There is no charge to file the petition, to have a protective order issued, to obtain certified copies of the order, or to serve the order on the abuser.