

DNA-People's Legal Services, Inc.

# **Domestic Violence Resource Guide**



This booklet is funded by the Victim of Crimes Act grant  
from the Arizona Department of Public Safety, Crime Victim Services



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## INTRODUCTION

The purpose of this handbook is to assist victims of domestic abuse by telling them how and where to get help. If you are a victim of domestic abuse, you must be willing to help yourself if you want to the ABUSE to stop.

## IT'S AGAINST THE LAW FOR YOUR PARTNER TO BEAT YOU!

### REMEMBER:

- ***You are not alone.*** One-fourth to one-half of all dating relationships in the United States include violence.
- ***You are not*** the cause of someone else's violent behavior.
- ***You do not*** deserve to be abused.
- ***You have the right*** to expect and demand help and respect.
- ***You have the right*** to make your own choices.

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## What is Domestic Violence?

Domestic Violence is a pattern of coercive words and behavior to gain power and control over an intimate partner. Domestic violence includes any and all forms of abuse: physical, sexual, emotional, verbal, financial and spiritual. The motivation is always to control another person's behavior, thoughts and emotions. Physical abuse may include pushing, shoving, slapping, biting, kicking, hitting, beating, or use of a weapon.

Sexual abuse includes rape, marital rape, or any forced sexual activity.

Although physical and sexual abuses are the most easily recognized, the effects of emotional and verbal abuse may be traumatic and long lasting. Emotional and verbal abuse include belittling, making the victim feel bad about themselves, name calling, making the victim think they are stupid or crazy and playing mind games. Financial abuse is not allowing the victim to work, or apply for financial benefits, or not providing the victim and children with money to support the family when that money is available. Spiritual abuse includes denying the value of your spiritual beliefs and the misuse of religious customs and practices.

Once violence begins in a relationship, the violence almost always recurs, and tends to get more severe and more frequent as time goes by.

Victims stay in abusive relationships for many reasons. Some stay because they blame themselves, believe the

abuse will stop, are financially dependent on the abuser, or fear they or their children will be seriously injured if they try to leave. Victims also stay because they have, or feel they have no place to go.

***Domestic violence is about power and control!***

Domestic Violence is not just a personal or family matter - it's serious and ***IT'S AGAINST THE LAW!!***

**The Cycle Theory**

No two relationships are exactly the same, but many women who are the targets of domestic violence see a pattern to it. When a woman sees how her own situation fits into this pattern, it is easier to understand what is happening and to make a safety plan. This pattern was described by Dr. Lenore Walker, who called it the "Cycle Theory." Although we refer to "women" as the victim in this booklet, men can be victims of domestic violence as well, and may experience the same cycle, and when they are victims have the same rights and remedies available to them.

**Tension-Building Phase**

The actual act of abuse (whether it is verbal, psychological, or physical) is the easiest to identify, but it is only part of the cycle. Before the abuse, there is a "Tension-Building" phase, problems the abuser has during which you may feel as if you are "walking on eggshells" to avoid your partner's anger. Some women try to calm their partner during this period, and some withdraw. Some women know what is coming might do things to increase the tension to "get it over with."

But it doesn't really matter how the victim responds because the abuse comes from problems the abuser has. The victim hopes the abuse will stop, but no matter what the victim does, the tension builds until the abuser reacts with abuse.

### **Abusive Incident**

The tension finally builds and explodes in violence. Your partner's explosion includes threats, insults, beating, kicking, punching, slapping, choking, forcing sex or using weapons. This is the shortest and most violent phase - **YOU CAN BE KILLED!**

### **“Honeymoon” Phase**

After the violence, there is often (but not always) a loving or “Honeymoon” phase. The abuser might say they're sorry, beg for forgiveness, bring flowers or gifts, and make promises about stopping the violence or getting help. Usually, the promises are not kept, and the tension begins to slowly build again, and the cycle is repeated.

This cycle is sometimes stable and easy to predict. But many women have said that over time, two things happen: the cycle gets shorter (so there is less and less time between incidents), and the abuse gets worse or more violent. We cannot change, control, or predict another person's behavior. But understanding the cycle can be an important step in providing safety for ourselves and our children.

## **Characteristics of Abusers**

Domestic violence occurs at all social and economic levels, regardless of race, gender, or sexual identity. Abusers do have some characteristics in common - remember not every abuser will have every characteristic.

- Jealous
- Possessive
- Manipulative
- Abuses drugs and alcohol
- Insecure-Low Self-esteem (Likes to put others down)
- Low impulse control-Gets mad easily
- Rigid role expectation-Men should be the boss
- Jekyll-Hyde personality-Extreme mood swings
- Defensive-Can't take responsibility-Never their fault

## **Teen Battering**

Young women experience the same types of violence as other battered women: emotional and verbal abuse, physical abuse, and sexual abuse. An early indication of potential dating violence is a young man's jealousy, possessiveness, controlling behavior, and verbal put-downs. Young women are often pressured by peers to have a boyfriend and may view his possessiveness and jealousy as a sign that he really cares.

The earlier a girl becomes involved with an abusive boyfriend, the more difficult it may be for her to get out of the relationship. The controlling behaviors that she experiences will quickly erode her self-esteem, making

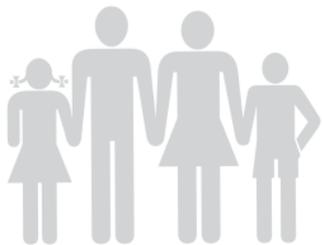
her believe that she “deserves” bad treatment. A teenage girl is still developing and learning about intimate relationships, and if she is harmed during this crucial stage, she may face years of difficulty. Women aged 16-25 are three times more likely to be raped than other women. Of adolescent rape victims, 92% know their assailants and about two-thirds of the assaults happen in dating situations.

### **Children and Domestic Violence**

Often children are injured, either intentionally or accidentally, when caught in the middle of violence between the adults in their household. In 1999, in New Mexico, 3,710 children were present at the scene of 19,822 cases of domestic violence.

***Even when children don't see the actual violence, they are terrorized.*** They hear the screams. They see the bruises and broken bones, and are affected by the emotional aftermath of the trauma. Their reactions may be immediate or may appear weeks later. Studies show that 90% of children from violent households are aware of the abuse. These reactions can vary due to the age of the child, and can include:

- Nightmares
- Sleep disorders
- Bed-wetting
- Diarrhea
- Frequent illnesses



- Eating disorders
- Delayed motor skills
- Difficulties at school/Trouble getting along with other

Consequences of violence can be long-term and devastating. Children may no longer be able to trust adults to protect them.

They may feel:

- Responsibility for the abuse
- Rage at the abuser
- Constant anxiety, fearfulness, and depression
- Guilt for not being able to stop the abuse
- Low self-worth
- Fear of abandonment
- Mistrust of intimate relationships

If your children have witnessed abuse, watch for these behaviors:

- Abusing younger siblings
- Hurting or killing animals
- Use of violence as a problem solving technique
- Suicide attempts
- Substance abuse
- Truancy
- Sexual acting out
- Running away
- Isolation
- Loneliness
- Getting into abusive relationships as young adults

***Neglect can be another effect of abuse.*** In homes where there is domestic violence, children can be neglected because their parents lack the energy to cope with their needs. This is due to the emotional strain of abuse.

### **How can you help your children?**

- Tell them that it is not their fault.
- Encourage them to talk about their feelings regarding the abuse.
- Validate what they are feeling.

### ***Help your children prepare a safety plan.***

#### **Teach them to:**

- **Dial 911**
- **Identify escape routes**
- **Identify adults they can call or go to**

Get help for your children. Call a victim assistance group that works with kids who have witnessed violence. In some counties of Arizona and New Mexico, these services are free.

#### ***Remember...***

The actions you take to protect yourself will also provide for the safety and well being of your children!

## How Victims May Feel

**Fear** - Fears for personal safety and the safety of the children are often overwhelming.

**Confusion** - The victim may believe her partner when he promises to change or stop abusing her. The victim may feel confused over the change in the partner's behavior from day to day.

**Shame and Guilt** - Victims are told that they deserve the abuse, and they try to change their behavior to stop the abuse. This makes victims feel progressively worse about themselves, because nothing they do stops the abuse. Victims may be ashamed about staying in the relationship. Each abusive incident progressively lowers a victim's self-esteem and initiative to leave the situation.

**Minimization of the Abuse** - The abuser constantly tells the victim that the abuse is deserved. or even that it did not occur at all. Victims begin to view the abuse as "normal."

**Trapped, powerless** - When all control is taken away, it takes a victim's energy merely to survive and protect the children. Leaving is seen as an unattainable goal.

Domestic Violence is one of the major causes of homelessness for women and children.

## Safety Plan

**SAFETY DURING AN EXPLOSIVE INCIDENT:** If an argument seems unavoidable, try to have it in a room or area where you have access to an exit. Try to stay away from the bathroom, kitchen, bedroom, or anywhere else where weapons might be available.

Practice how to get out of your home safely. Identify which doors, windows, elevator, or stairwell would be best to use.

Have a packed bag ready and keep it at a relative's or friend's home in case you have to leave quickly. Below is a checklist of important documents and items to take with you when you leave:

### IDENTIFICATION:

- Driver's License, ID
- Children's birth certificates
- Your birth certificate
- Social Security cards
- Certificates of Indian blood
- Other forms of identification



### FINANCIAL ITEMS:

- Money or credit cards
- Bank books
- Check books
- ATM card
- Food Stamp cards



## LEGAL PAPERS:

- Your protection order
- Lease, rental agreement or house deed
- Homesite lease papers, grazing permits
- Vehicle titles, car registration and insurance papers
- Health and life insurance papers
- Medical records (immunization records, prescriptions), hospital cards
- Marriage license, Divorce and custody papers
- School records (IEP, report cards)
- Work permits, green card, passport

## OTHER ITEMS:

- House and car keys
- Toiletries (diapers)
- Medications
- Children's small toys
- Pictures of you, your children and your abuser
- Change of clothes
- Phone card
- Jewelry
- Address book
- House and car keys

Identify one or more neighbors you can tell about the violence and ask that they call police if they hear a disturbance coming from your home.

Devise a code word to use with your children, family, friends, and neighbors when you need the police.

Decide and plan for where you will go if you have to leave home (even if you don't think you will need to). Use your own instincts and judgment. If the situation is very dangerous, consider giving the abuser what they want to calm them down. You have the right to protect yourself until you are out of danger.

***Always remember: YOU DON'T DESERVE TO BE HIT OR TREATED.***

## **SAFETY WHEN PREPARING TO LEAVE:**

Open a savings account and/or credit card in your own name to start establishing or increasing your independence. Think of other ways in which you can increase your independence.

Leave money, an extra set of keys, copies of important documents, extra medications, and clothes with someone that you trust so you can leave quickly.

Determine who would be able to let you stay with them or lend you some money. Shelters can find places for you and your children to stay, and may have money for you and your children to relocate out of state.

Keep the shelter or hotline phone number close at hand and keep some change or a calling card with you at all times for emergency phone calls.

Review your safety plan as often as possible in order to plan the safest way to leave your abuser.

***REMEMBER: LEAVING YOUR ABUSER IS THE MOST DANGEROUS TIME! 75% of domestic assaults occur at the point of separation or divorce. A stalking ex-husband or boyfriend murders a woman in this country every two hours. Leaving is the most potentially deadly time.***

## **SAFETY IN YOUR OWN HOME**

If your abuser leaves the home by choice or by court or police order, change the locks on your doors as soon as possible. Buy additional locks and safety devices to secure your windows.

Change the locks on your vehicle doors (a locksmith or the car dealer can do this).

Discuss a safety plan with your children for when you are not with them.

Inform your children's school, daycare, etc., about who has permission to pick up your children.

Inform neighbors and your landlord that your partner no longer lives with you and that they should call the police if they see him or her near your home.

## **VOCA Victim of Crimes Act**

Arizona, New Mexico, and Utah residents (including those living on the Indian Reservations) are covered by the federal Victims of Crimes Act (VOCA). VOCA has two aspects: First, it sets guidelines for prosecutors to keep victims informed about the abuser's criminal case, and to participate (or not) in criminal proceedings. Second, it provides compensation to victims for their expenses incurred from the abuse or other violent crime.

To be eligible for victim compensation, you must report the abuse or other violent crime to the police, within 72 hours of the crime (but you do not need to press criminal charges), and you must complete an application for compensation. Eligible expenses to be compensated are medical, mental health, funeral, and ceremonial expenses, and loss of wages.

You can get victim compensation applications from DNA, the police department, County Attorneys' Office, or from your county's website.



## Protection Order

Arizona, New Mexico and Utah, as well as the Navajo Nation, Hopi Tribe and other Indian Tribes, all have domestic abuse laws. These laws allow you to request a Protection Order from the court where you live, where the abuser lives, or where the abuse happened. They also make domestic violence a crime, so that you can press criminal charges against your abuser if you choose to.

DNA-People's Legal Services has several grants to help victims apply for and obtain Protection Orders from the courts, regardless of your income. To get started with a Protection order, you can get the court forms from DNA, the courts, the police departments, shelters, county court's websites, or from your local chapter house. To press criminal charges, you need to visit the Prosecutor's office, or City Attorneys Office, or County Attorneys' Office.

An Order of Protection is a written court order, signed by a judge, requiring an abusive "household member" (i.e. spouse, former spouse, family member, including relative, parent, present or former stepparent, present or former in-law, child or co-parent of a child, or a person with whom you have had a continuing personal relationship) to stop abusing the victim or any other household member. *The court can order any or all of the following:*

- ☛ Forbid any further abuse
- ☛ Order the abuser not to initiate contact with the victim and/or the children
- ☛ Prohibit the abuser from entering the victim's and/or children's residence, place of employment, school, or other specified areas
- ☛ Prohibit the abuser from taking, concealing, transferring or destroying the victim's property.
- ☛ Order the abuser to surrender his/her weapon
- ☛ Require or recommend counseling for the abuser and/or victim and children
- ☛ Award temporary legal custody or physical care of the children, and establish visitation rights (except in Arizona State Court, where you need to file separately for custody and visitation)
- ☛ Require the abuser to pay support to the victim or child support (except in Arizona State Court, where you need to file separately for child support)
- ☛ Give temporary possession of the home to the victim

For more information about the process of getting a Protection Order, see DNA's brochure "How to Obtain a Protection Order", or visit with DNA, or a lay advocate at a shelter.

## Issuance of a Protection Order

When a judge or the domestic violence commissioner grants you an Order of Protection, make several copies and keep one with you at all times. If the abuser violates the Order by abusing you again, or by coming onto your property when the Order forbids him/her from doing so, **call the police**. Show them the Order. If you do not have a copy to show the police, they will verify the Order's existence. If there is proof that the abuser violated the Order, an arrest should be made.

There is increasing evidence that calling the police will make the abuser less likely to hit you in the future. There is no evidence that being arrested makes the abuser less likely to repeat their violent behavior. While not always successful, involving the police can make you safer.

If you decide to get back together with your partner after the court has issued an Order of Protection forbidding him/her from entering your home, you may want to go back to court and have the Order *modified*. If you don't modify your Order, the abuser may be arrested for violating the Order of Protection. Try not to *vacate* your Protection Order; you can have an order that simply prohibits any further abuse.



## Role of Law Enforcement

A person who is allegedly a victim of domestic abuse may request the assistance of local law enforcement agencies. A local law enforcement officer responding to a request for assistance shall be required to take action that is reasonably necessary to protect the victim from further abuse, including:

- Advising the victim of the remedies under their state's or tribe's domestic violence laws, the right to file a written statement or request for an arrest warrant, the availability of domestic violence shelters, medical care and other services
- Providing or arranging transportation of the victim to a medical facility or place of shelter at the request of the victim
- Escorting the victim to their residence to remove personal items required for immediate need, if it can be done safely
- Arresting the abuser when appropriate

The jail should notify the arresting officer when the abuser is released from custody. In turn, the arresting officer should make a reasonable attempt to notify the victim that the abuser has been released from custody.

## **Chinle Agency**

### **Police/Emergency**

*Chinle Police* ..... (928) 674-2111/2112

*Pinon Police* ..... (928) 674-2111

### **Shelters/Safe Homes**

*ADABI - Ama doo Alchinn' bighan* ..... (928) 674-8314

P.O. Box 1279, Chinle, AZ 86503 ..... 1-800-698-0899

Temporary safe shelter for victims of domestic violence, crisis counseling, advocacy, supportive services, traditional services, community education and awareness on domestic violence.

### **Medical Services**

*Chinle IHS* ..... (928) 674-7001

*Pinon IHS* ..... (928) 725-3220

### **Social Services**

*Chinle Div. of Social Services* ..... (928) 674-5740

Telefax ..... (928) 674-5740

Family services, guardianship studies, crisis intervention, child protective services, institutional placement, foster care program, nursing home placement for elders, adult-in-home care, parent aide, and Indian Child Welfare Act, financial assistance, counseling services. To report child abuse on the reservation, call the above number and follow with a written report within 48 hours.

*Pinon Sub-Office* ..... (928) 725-3287

Fax ..... (928) 725-3480

### **Legal Services**

*Chinle-DNA-People's Legal Services, Inc.* .....

..... (928) 674-5242

Fax ..... (928) 674-2410

*Chinle Judicial District*

Fax ..... (928) 674-5740

*Court Administrator* ..... (928) 674-2070  
*District Court* ..... (928) 674-2070  
*Family Court* ..... (928) 674-2084  
*Peacemaker/Drug Court Div.* ..... (928) 674-2086  
*Probation Services* ..... (928) 674-2063

### **Office of the Prosecutor**

*Chinle District* ..... (928) 674-2217  
Fax ..... (928) 674-2222

### **Victims Assistance Program**

*Chinle District* ..... (928) 674-2367  
Fax ..... (928) 674-2068

## **Counseling Services**

### *Department of Behavioral Health Services*

..... (928) 674-2190  
*Chinle IHS Counseling Services* ..... (928) 674-7377  
    *Manyfarms* ..... (928) 781-3813  
*ADABI* ..... (928) 674-8314  
*Talbot House* ..... (928) 674-3238

## **Education/Employment Training**

..... (928) 674-2177

## **Children Services**

*Social Services* ..... (928) 674-2050  
*Youth/Community Services* ..... (928) 674-2064

## **Financial Assistance** (also see Social Services section)

### *Women, Infants & Children (WIC)*

*NN-Chinle Office* ..... (928) 674-2184/2185