

## SAFETY PLANNING

It is crucial for a victim to plan ahead in the event of an emergency. A victim might consider the following:

- Have some money set aside (even a few dollars)
- Think of a friend/family member that will allow them to stay for a few days
- Make copies of important documents and keep in a safe, accessible place (ex: passport, ID card, birth certificates, SS card, 50-B order, etc.)
- Rent a post office box (abuser will not have access to victim's mail)
- Take photos of evidence (injuries, property damage)
- Keep cell phone on person at all times (even if disconnected, it should call 911)
- Vary routes of travel and routine
- Gather prescriptions
- Have a plan "B" in case the first plan is compromised
- Know there are shelters available

## COMMUNITY RESOURCES

### CRISIS INTERVENTION

Domestic violence crisis line (local)..... 336-723-8125  
 Domestic violence hotline (national)..... 800-799-7233  
 Sexual Assault Response (local)..... 336-722-4457

### FOOD

Centenary United Methodist..... 336-724-6311  
 Crisis Control Ministry..... 336-724-7453  
 Salvation Army..... 336-722-8721  
 Samaritan Ministries..... 336-748-1962  
 Sunnyside Ministries..... 336-724-7558

### FINANCIAL ASSISTANCE

Crisis Control Ministry..... 336-724-7453  
 Experiment in Self-Reliance..... 336-722-9400  
 Salvation Army..... 336-722-8721  
 Sunnyside Ministries..... 336-724-7558

### SHELTER

Next Step Ministries..... 336-413-5858  
 Domestic Violence Shelter  
 Family Services, Inc. Shelter..... 336-723-8125  
 Domestic Violence Shelter  
 Bethesda Center..... 336-722-9951  
 Salvation Army..... 336-722-8721  
 Samaritan Ministries (men only)..... 336-748-1962  
 W-S Rescue Mission (men only)..... 336-723-1848

## AREA HOSPITALS

Forsyth Medical Center ..... 336-718-5000  
 3333 Silas Creek Parkway, 27103  
 WFU Baptist Medical Center ..... 336-716-2011  
 301 Medical Center Blvd., 27103

## CRIMINAL JUSTICE AGENCIES SERVING CRIME VICTIMS

Forsyth County D.A.'s Office ..... 336-779-6310  
 Hall of Justice, 200 N Main Street, 27101  
 Safe on Seven ..... 336-776-3255  
 NC Attorney General's Office ..... 919-716-6400  
 NC Victim Assistance Network ..... 919-831-2857  
 NC Crime Victim Compensation..... 919-733-7974

## OTHER

Family Services, Inc. .... 336-722-8173  
 National Suicide Prevention Lifeline..... 1-800-273-8255  
 Kiran ..... 1-877-625-4726  
 Serves men and women in crisis whose origin or background is from Bangladesh, Bhutan, Burma, India, Nepal, Pakistan, and Sri Lanka  
 Child Abuse Prevention, The Parenting Path.... 336-748-9028  
 Community Intervention Services..... 336-776-0322  
 Crimestoppers ..... 336-728-3904



Winston-Salem

### City of Winston-Salem

**Mayor:** Allen Joines; **City Council:** Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Annette Scippio, East Ward; James Taylor, Jr., Southeast Ward;  
 City Manager: Lee D. Garrity

# Domestic Violence 101



“We celebrate survivors, learn from and grieve for those who have died, and seek to find new ways to reach those living with domestic violence.”



Public Safety Center • 725 N. Cherry Street  
 Winston-Salem, N.C. 27101-1418  
 (336) 773 - 7700  
 www.wspd.org

IN CASE OF AN EMERGENCY, CALL 9-1-1

Victim Assistance Unit  
 (336) 773 - 7860  
 (336) 773 - 7741  
 (Mon. - Fri., 8 a.m. - 5 p.m.)

## PURPOSE OF THIS INFORMATION

- Educate our community, victims, survivors, and abusers about domestic violence
- Provide real information about domestic violence and the civil and criminal justice system
- Explain how the system works and responds to domestic violence

## WHAT IS DOMESTIC VIOLENCE?

Domestic violence is a broad term that refers to physical, verbal, psychological, sexual, and emotional abuse by one person against another. These forms of abuse are deemed “domestic” related when the victim and suspect are related, are in a dating or spousal relationship, share a child in common, are living or have lived together, or were in a former dating or spousal relationship.

## WHY IS IT SO DIFFICULT TO LEAVE A DOMESTIC VIOLENCE RELATIONSHIP?

Domestic violence is a cycle that is hard to break. In most situations, there is a tension building phase where the victim and abuser have an argument or disagreement which ultimately leads to an explosion or some form of abuse. The episode is typically followed by a honeymoon phase where the abuser apologizes, asks for forgiveness, or promises not to hurt the victim again.

Along with being trapped in the cycle of violence, there are numerous barriers to leaving a domestic violence situation. A victim might find herself asking:

- What will he do when he finds out I’m leaving?
- What will he do to the children?
- Where can I go? I feel so isolated
- I don’t have a job and he makes all the money, how can I afford to leave?
- I really love him, what if he changes?

## DOES A VICTIM HAVE ANY OPTIONS?

Any form of abuse is inexcusable. A victim can often feel trapped and helpless after a domestic violence incident but there are options available to her. She may consider one or all of the following:

- 1) Report the incident to law enforcement
- 2) Prosecute if a crime was committed
- 3) Obtain a protective (restraining) order

### *What to expect if the victim chooses to report the incident to law enforcement:*

- An officer will ask the victim to explain what happened and gather biographical information
- The officer may take photographs of the victim’s injuries or damaged property

- Property may be seized if it is evidence in the case
- If a crime occurred in front of the officer a warrantless arrest can be made
- If a crime occurred outside of the officer’s presence and the victim wants to prosecute, the officer can escort her to the Magistrate’s Office where she will tell her story and a magistrate will determine if a warrant or criminal summons should be issued
- If a crime occurred outside of the officer’s presence and the victim has visible injuries, the officer can prosecute on the victim’s behalf even if she does not want to pursue charges

### *What to expect if the victim chooses to prosecute:*

- The victim will speak to a magistrate to determine if there is enough probable cause to issue a warrant
- If a warrant is issued, the victim must provide at least one address where the abuser can be served with the warrant
- Once the warrant is served, the victim will be notified of an upcoming court date
- The District Attorney’s Office will represent the state; the victim should direct legal questions/concerns to their office at 336-779-6310
- The victim should be present at every court date
- The court process can take some time; the victim should understand that his/her case might be continued once or more times
- Prior to the court date, the victim may or may not be able to discuss their case with the District Attorney
- The victim may be called to testify or tell his/her side of the story to the judge. The victim may also be questioned by a defense attorney if one is present

### *What to expect if the victim chooses to obtain a protective (restraining) order:*

- In order to obtain a protective order in Forsyth County, the victim can go to the seventh floor of the Hall of Justice (Safe on Seven) and fill out the required paper work and submit a written statement as to why she is requesting a civil protection order against her abuser
- The protective order is commonly called a 50-B order because it is found in Chapter 50-B of the North Carolina General Statutes
- The 50-B order generally prohibits the abuser from contacting the victim (this includes text messages, phone calls, coming by her job or residence, etc.)
- There is no cost associated with filing a 50-B
- Upon filling out the necessary paperwork for the 50-B order, the victim will go before a judge that same day and the judge will determine if an ex parte order (emergency order) is necessary to protect the victim

- Regardless of if an ex parte order is put in place or not, the victim will be given a date to come back to court in approximately 10 days to request that the judge at that hearing give him/her a protective order
- During those 10 days the Sheriff’s Department will attempt to serve the abuser with the 50-B order
- At that court date the victim and defendant (abuser) will have the right to go before the judge to tell their side of the story
- The victim and defendant can represent themselves or have an attorney represent them
- The judge will then determine if a one year 50-B order will be put in place
- If the victim is not granted the 50-B order, she can apply for an order again if another incident occurs
- It is important that the victim report any violation of the 50-B order to law enforcement

## MUST KNOW ABOUT DOMESTIC VIOLENCE & THE LAW

- Abusers are not given an automatic 48-hour hold in jail if arrested; they can go before a judge and be given a bond in less than 24 hours. It is best for a victim not to assume the abuser will be in jail for two days.
- A 50-B protective order is not the same as a judge’s order in a criminal case to have no contact between parties
- There is a “no drop” policy in Forsyth County pertaining to domestic violence criminal cases. In other words, the victim cannot dismiss the case.
- There are both misdemeanor and felony charges for domestic violence
- If the charge is a misdemeanor, the victim has up to two years to prosecute
- If the charge is a felony, there is no statute of limitations and the victim does not have a specific timeline in which they must make a decision about prosecution

## DOMESTIC VIOLENCE AND SEXUAL ASSAULT

One form of domestic violence is sexual assault. Sexual assault is any unwanted sexual contact. A victim that is in a spousal relationship or committed relationship with their abuser CAN be raped or sexually assaulted.

If a victim of sexual assault chooses to report, they will be interviewed by an officer and their case may be referred to a detective. The District Attorney may also wish to speak with the victim regarding the case.

If the victim wishes to respond to the hospital for a SANE (Sexual Assault Nurse’s Exam) evidence collection kit, the NC Rape Victim Assistance program will pay for the exam. The victim should respond to the hospital within 72 hours from the assault.