

The background features a light gray sky with several hot air balloons and white clouds. The balloons are in various colors: blue and green, pink and purple, and blue and green. The bottom of the image shows a stylized landscape with blue water, green hills, and teal mountains.

SAFETY PLANNING

The role of a **MFIP Family Violence Specialist**



A safety plan is an organized and practical **toolkit** of supplies, resources lists, phone numbers and other items needed to stay safe while enduring, leaving or healing from an abusive relationship

Planning ahead is crucial. Brains in crisis are forgetful!





ASPECTS OF A SAFETY PLAN

Individualized Strategy

Each plan is unique to the victim who develops it

Ongoing and flexible

Successful plans should remain dynamic and should be re visited

Immediate and Long Term

Plans should address immediate concerns as well as long term goals

Meets dynamic needs

Victims may need to address physical, emotion, sexual, financial and spiritual safety

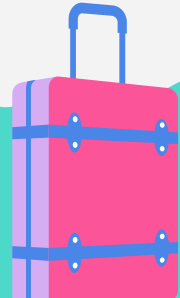
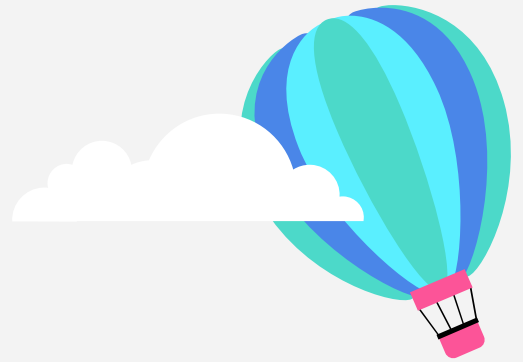
Survivor centered

Decisions about a specific strategy should always be made by the victim



02

WHERE TO BEGIN 😊





Safety is a state of being free from harm or danger

Physical

Your bodily autonomy is honored and adhered to. You are free to move through the world as you wish without interference from others

Other definitions?

Emotional

The certainty of knowing that you will not be criticized, blamed, rejected invalidated or dismissed

Other Definitions?





Other Ideas About Safety

01

Ability to change your location, appearance, attitude, beliefs

02

Express yourself authentically

03

Share dissatisfaction about a loved ones actions

04

Share your personal insecurities and fears

05

Have a conversation that doesn't escalate



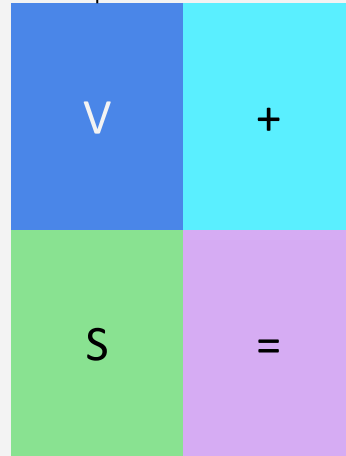
No Single Formula for Safety

Victim Priorities

- Victim perspectives and priorities determine the strategies, objectives and direction of the plan

FV Specialist Resources

- Your role is to offer information, analysis and resources to strengthen the plan

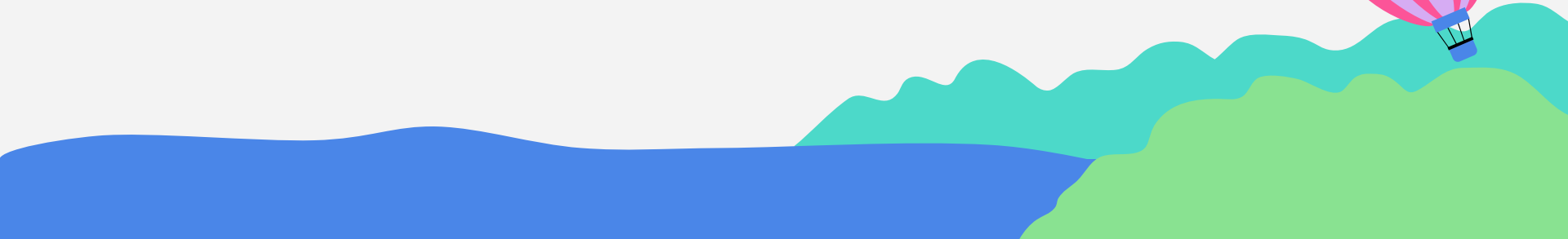


Strengthened and Comprehensive Plan

- Recognize external threats that could impact performance
- Address competition, changing consumer behavior, or risks



The role of the Family Violence Specialist is to facilitate a discussion with the survivor and think strategically about how they will stay safe across all aspects of their life. A Family Violence Specialist offers information, resources and potential options for the survivor's consideration





Multiple intersecting risks and limited alternatives make safety planning difficult and complicated for many victims

Partner Generated Risk

Includes battering and violence that is not battering. Violence behavior has certain patterns, but occurs across a spectrum. The harm caused by violence varies from survivor to survivor

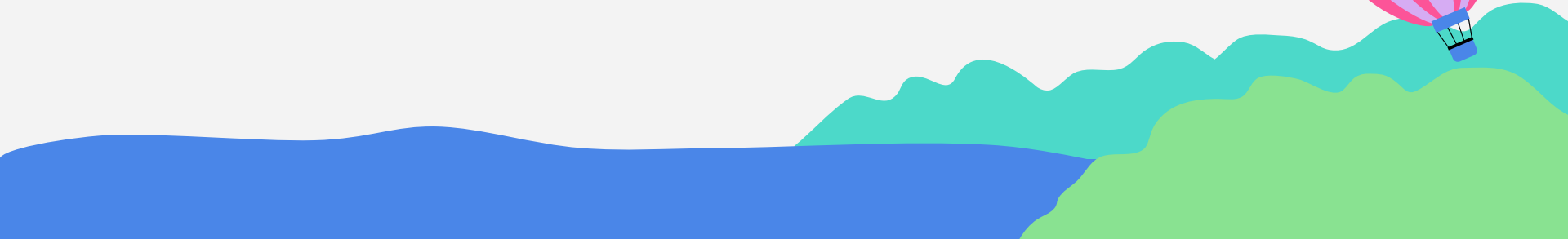
Life Generated Risk

Risks any MFIP participant is facing. They might include health, challenges associated with caring for a disabled child or being laid off. Abusive partners may manipulate life generated risks to further their control.





Violence happens in the life of a person. Who that person is – not just the violence they experience – is an important factor in determining the relevance of safety strategies. Their lives might include parental responsibilities, work, faith, chores. **These circumstances should determine the parameters of a safety plan.**



SAFETY VS “SAFER”



Safety: No Violence

Safer: Reduced Violence

Safety: Basic Human Needs



Safer: Increased economic stability



Safety: Social and Emotional Well-being

Safer: strengthening well-being



“Safety Plan”

Escape Plan

Plans with an almost exclusive focus on physical violence. These plans mostly rely on physical separation and a victim leaving a relationship to enhance safety. They are necessary and important tools for many victims, but their narrow focus offers **limited safety and for some victims increases risks**

An escape plan might not keep an abusive partner from continuing to use violence. It might reduce the violence but leave a **victim homeless and with no source of income to survive**

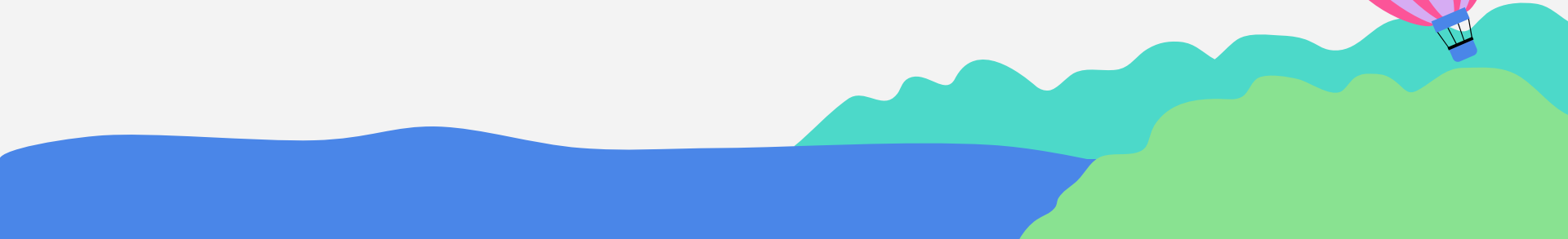
Feasible Safety Plan

As providers we can try to make victims *safer* – **less violence, increased economic stability, and strengthened well-being**. We accomplish this when we offer options and strategies that support victims in ways that makes their lives and their children’s lives better





Decision-making is a process that occurs over time and unfolds differently for each victim, depending on shifting circumstances and priorities. Key factors include the severity of the violence, concerns for the children, the depth of the relationship with the abusive partner, and social and financial resources. Victims, particularly those who remain in a relationship, are often judged harshly, their decisions second guessed by those who do not walk in their shoes.





A Victim's Risk Analysis Regarding Relationship

Stay

Batterer-generated risks:

- Physical Violence
- Sexual Violence
- Psychological Harm
- Risk to children
- Financial Losses
- Risk to family and friends
- Legal Risks

Life-generate Risks:

- Financial/Poverty
- Physical and mental health
- Inadequate responses by major social institutions
- Discrimination

Leave (Same, Better, Worse? Not Sure?)

Batterer-generated risks:

- Physical Violence
- Sexual Violence
- Psychological Harm
- Risk to children
- Financial Losses
- Risk to family and friends
- Legal Risks

Life-generate Risks:

- Financial/Poverty
- Physical and mental health
- Inadequate responses by major social institutions
- Discrimination



INTRODUCING SAFETY PLANNING



Remind survivors they are experts on their own lives

Victim perspectives and priorities determine the strategies and direction of a safety plan. Start by learning about the victim's risk analysis and life circumstances, past and current safety plans, relationship decisions and identifying their priorities.

Let survivors know that making changes is normal and essential

Additional risk and concerns may arise and require changes to the plan. Encouraging participants to re visit their plan and make changes as needed will prevent non compliance and sanctions



Remember that safety planning is vulnerable



Victim first, then you

Listen First

Listen to determine the victim's perspective and priorities. It's the context we need to offer information and analysis. It saves our extremely limited time, and helps to build the partnership between provider and victim – the sharing of tasks and information.

Review Risks

Talk through the risks with each victim. In addition to sharing your perspectives on the danger, this discussion will also help identify what victims are most worried about and what the victim decides should be addressed first.

A review of life-threatening danger and serious risks to children are part of this review.

Exchange

If you and the participant have a different view of risks, an exchange must be conducted with humility and respect. *We have important information, but we may not have an accurate view of a victim's risks.*





Victim first, then you

Offer Relevant Options

Telling every victim to take a particular action will enhance the safety of some, do nothing for others, and may even put still others in more danger. Survivors of violence and their children are safer when safety plans include strategies relevant to their risks and life circumstances.

Advocate

Or connect the participant with a professional Advocate! Victims often need help to use the strategies identified in the plan, to access systems and resources, prevent unintended consequences etc

Revise

Revise safety plans when risks and circumstances change.



The safety equipment on a boat might include an anchor to keep the boat in place and away from the rocks, a life preserver to keep a person afloat, and a radio to call for help. If you're on a boat and someone goes overboard, you wouldn't throw the person an anchor. If the boat were headed for the rocks, you wouldn't toss out the life preserver. In the same way, if a victim's priority risk is more focused on providing for her family than physical violence, you wouldn't only offer strategies that would reduce her financial security—for example, a shelter stay that would mean she loses her job or a move that would mean the loss of subsidized housing, or law enforcement that would mean her partner would lose the source of income that supports the family.



The hope that life can be better, and we help to make victims safer



Plans defined by victim perspectives, risks, and life circumstances make victims safer

Leaving is not the answer to domestic violence, reducing violent behavior is



Work in partnership with victims to provide space, support, analysis, comfort, guidance, and access to options and resources.

Components of the Plan

Knowledge

- Warning Signs
- Patterns
- Self-understanding

Basic needs

- Food/water
- Medicine
- Shelter
- Money

Lifelines

- Hotlines
- Emergency Contacts
- Shelter Numbers
- Trusted Friends and Family

Strategies

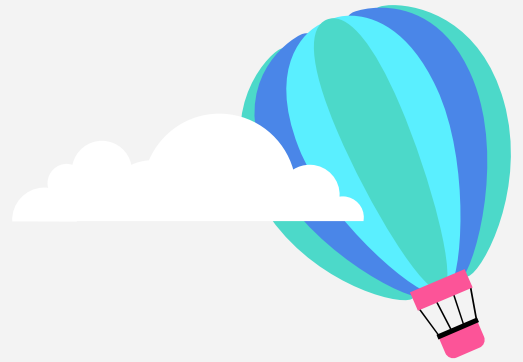
- Routes out of the home
- Defensive strategies
- Grounding/meditation





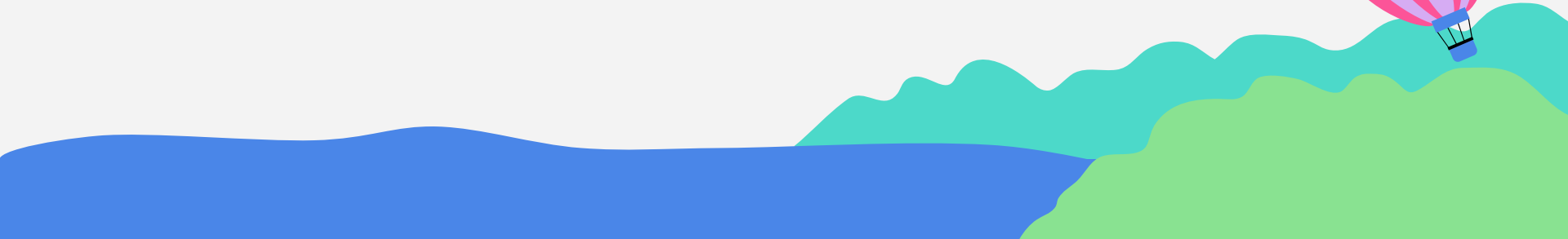
02

Risk Consideration: Children





A vision for this work is that all children are completely safe—that they experience no violence, never go without basic human needs being met, have the opportunity to thrive and grow, and are raised by competent, nurturing parents or caretakers. A difficult, unacceptable reality to face is that many won't have comprehensive safety





There must be a standard – children must have adequate levels of safety. One way to assess this is to ask: “Are the children safe enough?” This phrase reflects that even with children, the day-to-day goal is not perfection (safety) but improvement (safer), **although a standard must be met (safe enough)**





If the answer is no

01

Assessing risk with the
victim-parent

02

Intervention with the
parent/person using violence

03

Engaging other family
members or others who
are resources for the child

04

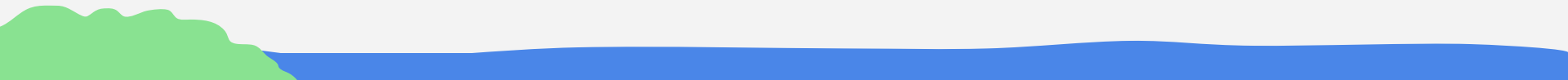
Connecting children to
services

05

Accessing legal
protections

06

Involving
child protection



What is child protection?

County Agency

CPS reviews reports of maltreatment and neglect of children. If the report seems to show that a child is in danger, they investigate to find out if maltreatment happened and decide if a family needs services. CPS may file a court case and ask a judge for children to be put in foster care or placed with a relative. This is called an “out of home” placement. They can be temporary to give time to work on the issue that caused the report to be made.

Maltreatment

Is the abuse or neglect of a child. **Abuse** is physical or emotional harm to a child that is not an accident. It is things like: broken bones and bruises, burns, hitting that is not normal discipline, sexual abuse of any kind, and emotional Harm. **Neglect** is when the child doesn't get necessary things like: food, clothing, shelter, education medical care, supervision or protection from harm

Investigation

The investigation can include: phone calls or meetings with the parent or custodian, a visit to the child's home an interview with the child interviews with other people like doctors or teachers When they finish the investigation, CPS must decide 2 things: Was the child abused or neglected? Does the family need services? If CPS decides the family needs services, they also decide what services will protect the child and rehabilitate the family



What is child protection?

Necessary Court Order

CPS workers can't take a child out of the home unless they have a court order, OR a parent says it is ok. If a worker feels a child is in immediate danger but can't get the parent to agree, they call the police. Police can take the child from the home to a shelter. There must be a court hearing within 72 hours (weekends and holidays do not count) to decide if the child should stay in foster care longer

Going to Court

CPS workers can ask a Juvenile Court Judge to temporarily remove a child from the home of the parent who is suspected of abuse or neglect. The child may be placed with a relative, in foster care, or in a residential facility, while CPS works with the parent on the reasons why the child was removed.

Reuniting the Family

In most cases CPS must work to reunite the family. If the child is 8 or younger CPS has to work for at least 6 months to reunite the family. If the parent is cooperating and working the case plan, the court can extend that time. If the child is over 8 then the parent has more time. If it seems like the child can't go home safely, CPS collects evidence to support a permanent placement of the child away from the abusive or neglectful parent.



A maltreatment determination shows up in background checks. This may keep you from getting or keeping jobs that involve caregiving.

These are jobs like:

childcare provider
teacher or teacher's aide
bus driver
coach
nurse or personal care attendant
foster parent

If a CPS worker believes that a child was abused or neglected, they make a "maltreatment determination." The participant will get a letter to let them know about the decision. Sometimes the worker makes a maltreatment determination even though they don't offer any services.

If a participant does not appeal the maltreatment determination it stays on their record even after the end of any court case brought by CPS.



Recommendations!

Court Appointed Lawyer

Low income MFIP participants should ask for a free court appointed lawyer. Normally, the court won't appoint a free lawyer until their first court hearing. The court appointed lawyer may represent both parents at the first hearing. In family violence cases, it is likely the participant feels like they don't agree with the other parent on things, and they should tell the judge. Then they can get a separate lawyer.

Going to Court

Once a child is out of the home, There has to be a court hearing every 90 days. These hearings are so the court can keep track of the progress of the case.

Grandparents

A grandparent whom the child lived with at any time in the last 2 years, can make themselves a "party" to a case by "intervening." This means they ask the court to let you be a part of the court proceedings. A father who is not considered a "party" can also "intervene." They can get the forms at the courthouse





A participant who is unable to keep their child safe from their **abuser may agree to a voluntary placement**. The county and the parents may enter into a Voluntary Placement Agreement. The Agreement includes information about the period of time for the placement and about the services that fix the problems so the child can move back home. Parents can change their mind about the voluntary placement. The county must return the child unless they go to court and prove that the child would not be safe.





Child and victim-parent safety are usually inter-related. Securing the comprehensive safety of one supports the overall safety of the other.

Children also face life-generated risks. They will share some life circumstances with a parent and have their own child-specific factors as well, such as their developmental stage, school experiences, and interests

Children need strategies that address the violence, their basic human needs and support emotional and social well-being. Children also need a capable adult to care for them.

Children are central to an adult victim's decision-making. Comprehensive strategies for children's safety are often integral to a victim-parent's plan

The relationship with a non-violent supportive parent is a foundational safety strategy for children.





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Safety Planning Advice: Children

Emergency Contacts

The participant should teach their children when, how and who to contact during an emergency. This can include trusted friends, family members, neighbors, local service providers and 911

Emergency Exit

If possible, children should be instructed to leave the scene when a situation begins to escalate. Participants can establish with their children where they can go.

Trusted Adult

Participants can create a plan ahead of time with a trusted support person who their children could turn to during a moment of crisis

Code Word

Participants can establish a code phrase with children that signals when they should leave the home in an emergency





Safety Planning Advice: Children

Safe Room

Identify a room in the house that they can go to when they're afraid

Comfort Activity

Something calming they can focus on for comfort

Establish Boundaries

Participants can teach their children that they shouldn't try to intervene in moments of violence, even though they may want to protect their parents

Plan

Plan with the participant what they will do if their children tell their abusive partner about their plans. Remember we can never blame children for their responses to a parent's abusive behavior



Planning for an unsupervised visit

Separate Safety Plan

Participants can create a separate safety plan for situation in which they may spend unsupervised time with an abusive parent

*A parent that has not been physically abusive to children, but to others

Brainstorm Together

The participant can brainstorm with the children ways that they can stay safe using the same model as they would in their own home. They can help children identify where they can get to a phone, who they can contact, how they can leave the house, and where they can go

Cell Phone

If possible, children should be given a cell phone to be used in emergency situations. Participants should be aware their abusive partner might look through this phone



Safe Custody Exchanges

Avoid Private Homes

Encourage participants to avoid exchanging custody at their homes or their partner's home. Instead schedule meetings in a safe, public place like a restaurant parking lot, store, police department or other public area with visibility.

Bring Support

Have participants bring a trusted friend or family member with them to make custody exchanges, or have the support person make the exchange on their behalf.

Schedule Via Third Party

Find ways to schedule custody exchanges that do not involve the participant interacting with their partner. [Many families arrange for one partner to pick the children up from school at the end of the day after the other partner drops them off in the morning](#)





We can remind participants to **consider the emotional safety of their children**. Parents can figure out something to do before a tense custody exchange to calm any nerves they might be feeling. Or they can plan something to focus on afterwards for themselves and their children, like going to a park or doing a fun activity.





“**Paternity**” means who is legally the father of the child. *If the parents are not married when the child is born, there is no legal father until paternity is established.* There are 2 ways to establish paternity:

Recognition of Parentage (ROP): Both parents sign a sworn statement that the man is the child’s father using a Recognition of Parentage (ROP) form. They get the form at the hospital when the child is born or from later on from their county’s child support office. Parents can also call the Minnesota Department of Health at (651) 201-5970 and ask for a form.

The ROP can be used by a court to set child support. It does **not** automatically give the father **any** right to custody or to parenting time (visitation). But it **does** give him the right to **ask a court** for custody or parenting time.





Sometimes the court has to decide **paternity**

The court looks at the evidence, including genetic tests and the past relationship between the mother and the possible father. You can ask for a genetic test, but you do not HAVE to have one to establish paternity.

If the parents are married, the law assumes that the husband is the father of the child. If the husband or wife wants to start a court case to *deny* that the husband is the child's father, then, in most cases, they must start it before the child turns 3.

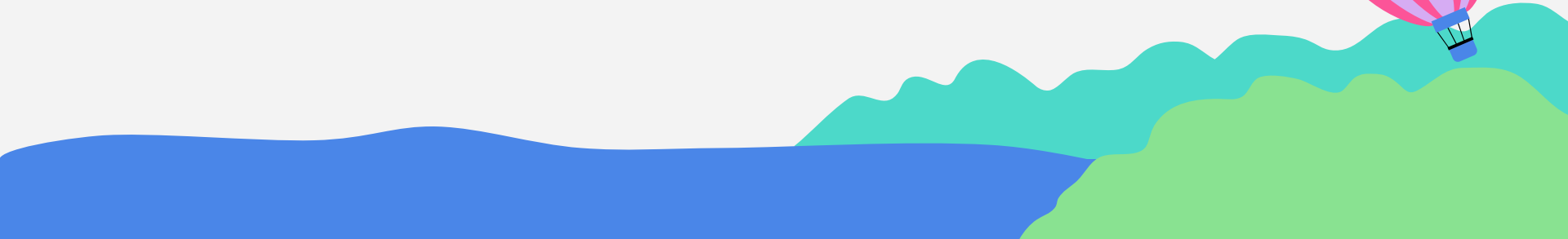
Paternity has to be established for a court to recognize certain rights of fathers and children. A father does not have a **right to custody or parenting time until paternity is established**.

A child has a **right** to get child support. Child support can't be ordered until paternity is established. A child can get support until they are 18 years old (20 years old if still in high school).





Participants of MFIP or child care assistance, don't need to apply for help from the IV-D Unit to seek child support. MFIP sends their case to the IV-D Unit to start a child support case. They will have to give some information to the IV-D Unit unless there is family violence



If you have custody of a child, the courts can make the other parent pay you “child support” - money to help with your child’s expenses. You can get an order for child support in a divorce, legal separation, paternity case, custody case, [or as part of an Order for Protection \(OFP\)](#). Buying gifts, clothes or food for the child does not count as child support.

Basic support

Part of your child’s expenses like food, clothing, housing and transportation

Child care support

Part of your child care costs when you work or go to school

Medical support

All or part of health insurance and other medical costs for your child





Minnesota has guidelines for figuring out how much support payments should be called *income shares*. Income shares sets child support by looking at the gross income of both parents. Gross income is your total income before taxes are taken out. They also look at things like other child or spousal support, and a parent's other legal children.

Basic support

We figure out each parents gross income and add them together. The number is compared to the numbers on a set chart that shows how much money parents at that income level spend on their children. The number from the chart is divided between the parents based on each parents' percent of income that made up the total income number.

Time spent affects the amount of child support:

The more overnights a parent has the less basic support they pay. If each parent has the children about the same amount of time and their incomes are equal, no child support is paid. If their incomes are not equal, the parent with the higher income may have to pay some child support. If one parent has the children for more time the other parent may have to pay the other some child support even if they earn less.

Medical support

Again the amount is figured out based on income. *If the non custodial parent's income is below poverty, they pay a minimum child support order*, which is \$50 per month for 1 child, \$60 for 2 children, \$70 per month for 3 children, \$80 for 4 children, \$90 for 5 children, and \$100 per month for 6 or more children.





How do they determine an amount?

The court looks at the evidence, including genetic tests and the past relationship between the mother and the possible father. You can ask for a genetic test, but you do not HAVE to have one to establish paternity.

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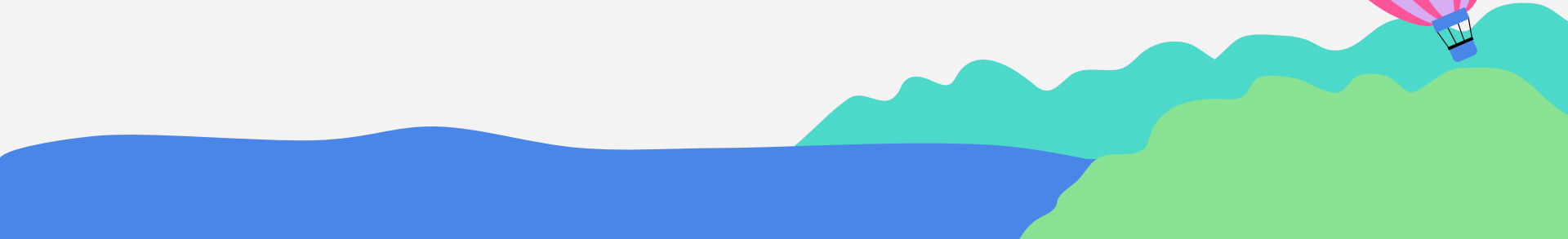
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If a participant is aware of how much money the other parent makes they can get an idea of how much child support a court might order. They can use Minnesota's online child support calculator at <http://childsupportcalculator.dhs.state.mn.us>. The more information they can fill in, the more accurate it is. It might give them an idea of what to expect in court.



03

Dissolution of a Marriage





The court "dissolves" or ends the marriage when the final papers are entered in the court's records. The final papers are called the **Judgment and Decree**. The Judgment and Decree contains the court's final decision on all issues of the divorce case. These include custody, parenting time, child support, spousal maintenance, and division of property and debt. Divorce cases are decided in family court.



FAQs

What will it cost?

The initial filing fee is \$400 to start or respond to a divorce case. Other fees can arise if they participate in mediation, have a custody evaluation or if a guardian ad litem is appointed. These fees vary by county.

[MFIP participants are low income and likely can't afford to pay the fee, so they can ask the court to Waive it.](#) The fee waiver can be filed online using Guide and File.

How long?

If both sides reach an agreement or if one spouse never responds to divorce papers, a divorce can be finalized in a few months. If spouses can't agree, then the judge has to decide. That takes much longer because the court will need to gather information and schedule hearings in order to make a fair decision. If the parties disagree, the divorce can sometimes take 6 months to 2 years. [Most Divorces where family violence is present take more than 6 months](#)

Who can help?

There is no right to a free lawyer in a divorce case. There are non-profit law firms that provide free legal help for those with low incomes. [Most MFIP participants should meet the income requirements for legal aid.](#) They should call their legal aid office at 1 (877) 696-6529



Hiring a Lawyer and Pro Se Representation

Fees

It is essential that the participant understand the fees a lawyer charges before they hire them. Lawyers charge an hourly fee for their services. They are charged each time the attorney works on their case. They need to ask their attorney for a written “Retainer Agreement” or letter that explains how they will be charged for their services

Self Representation

Many people represent themselves! They are referred to as Pro Se Litigants. They can use Guide and File to initiate an online interview that creates the forms needed to request a divorce. Or they can print their forms and take them in person to the courthouse to file.

Who can help?

There are Self-Help Centers that can answer questions about how to fill out these forms or answer questions about the divorce process. Participants can call the Statewide Self Help Center (651) 435-6535 or find a Self-Help Center in their area <http://www.mncourts.gov/selfhelp>



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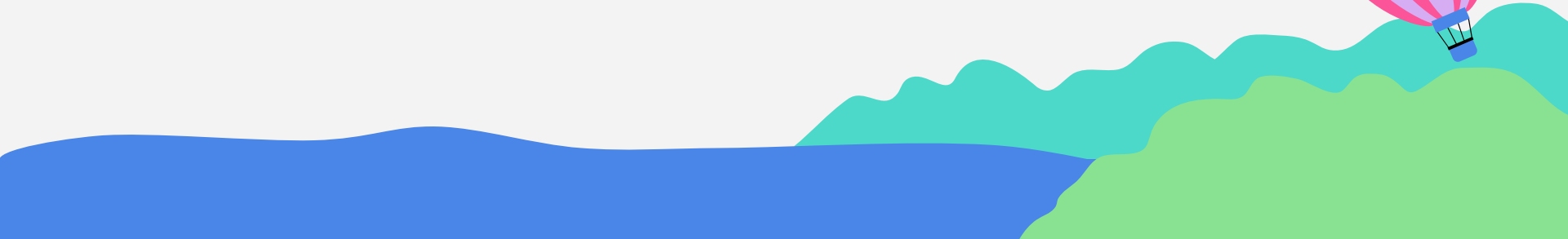
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If there are children of the marriage, each spouse has equal right to decide where the children live, where the children go to school and whether the children should see a doctor. If a participant is worried their spouse will harm or not return the children, they do not have to let them go. **But they do need a court order to keep them in their home.**



Custody Considerations

Before moving, ask an attorney

If a survivor leaves the state with their children, they could be held in contempt of court, punished in a subsequent custody case, and even charged with parental kidnapping. It is important to talk with an attorney who understands domestic violence and the state's parental kidnapping and relocation laws before moving

Filing for Custody

A child's "home state" is wherever they have lived for at least six months, that is the proper place for a custody case to be filed. Someone who just arrived to MN can only file for custody if they ask for "emergency jurisdiction" UCCJEA. The judge can grant them temporary emergency custody if they, their child, or the child's sibling is subjected to or threatened with mistreatment or abuse.

Abuser won't return children

If the abuser takes the children in violation of an existing custody order or fails to return them after a visit in another state, ask law enforcement in the abuser's state to enforce the court order. If they refuse, a victim might be required to go to court in the new state to get a "pick up order" from the judge there before the police will get involved.



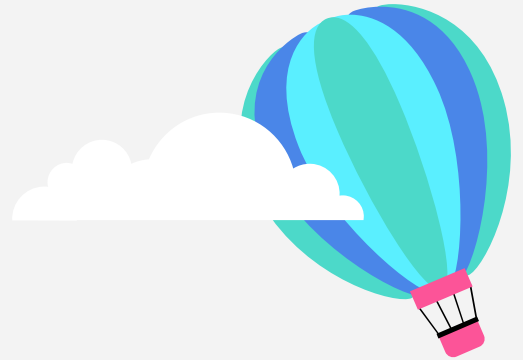


If there is some type of court action involving the children, such as divorce, custody, or visitation that is in process, **then it may be illegal for you to take the children out of state, even temporarily**, without permission from the judge and/or consent of the other parent. Often when one parent files for custody, the court automatically enters orders prohibiting either parent from removing the child from the state. If you have a current court action of this sort, then you may want to ask the judge or your attorney if you can take the children out of the state.



03

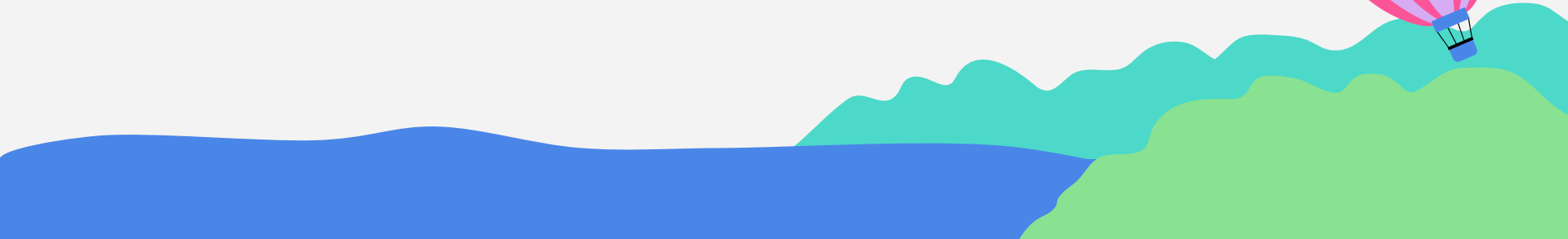
Risk Consideration: 911





If a participant reaches out to inform you that they are in immediate danger: 1. If they are being threatened, hurt, or abused right now, they need to [call 9-1-1](#).

[The Minnesota Day One Crisis Hotline 1-866-223-1111](#) assists them to get help, get safe, and get support. Their call connects them with an advocate trained in supporting victims and survivors of crimes, including domestic violence, sexual assault, and human trafficking. Day One can help them find a shelter and the services in their area





Day One: a program of the non-profit **Cornerstone**

General Crime

Victims of a violent crime, personal crime, or property crime have experienced trauma. Cornerstone's General Crime Advocates are available for anyone to contact a crime has occurred. Their advocates are connected to resources in the community and are knowledgeable about options for Minnesota victims of crime.

This referral could be made for a participant that does not qualify for the Family Violence Waiver

Domestic and Sexual Violence

Day One hosts the [Minnesota Day One Crisis Line](#) which connects individuals seeking safety and resources to service agencies statewide via phone, text or chat message. The Day One Call Center also answers calls, texts and chat messages to the Minnesota Crime Victim Support Line.

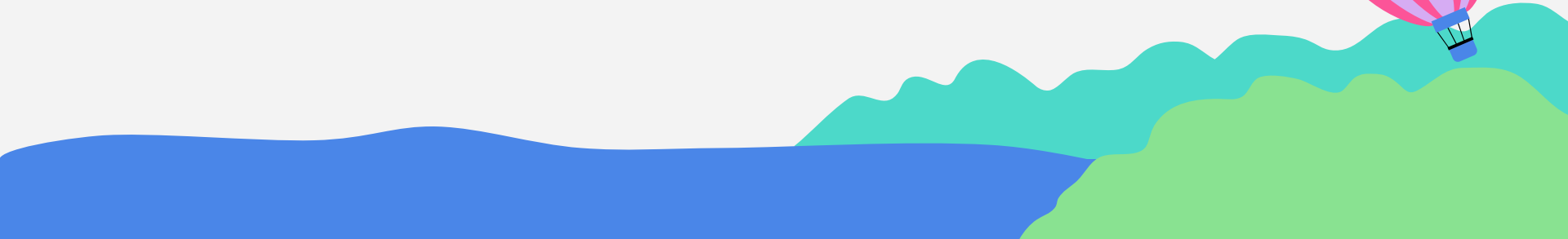
Trafficking

- Victims can expect:
- a. Advocacy from a supportive person who should listen, understand and help them sort out options
 - b. Choices involving law enforcement. Calling the crisis hotline if different than calling the police. [Advocates will not call 911 without permission unless they believe that someone is in immediate danger and can not make the call their self](#)





“Survivors of Domestic Violence Report Feeling Less Safe After Contacting Law Enforcement” was the headline that accompanied the distribution of the National Domestic Violence Hotline’s 2021 Victim’s Survey. CEO Katie Ray Jones noted that “what this survey lays out with painful clarity is that the main reason domestic abuse victims reach out to law enforcement is because there is no other alternative”





Survivors Hesitant to Call Police Cited:

Fear of reprisal

“Police have never helped—not when I was being stalked, harassed, or abused,” said a Survey respondent. “That kind of violence—police and incarceration—only escalates a situation and makes it less safe for me and my family.”

Embarrassment

More than half were concerned the police would not believe them

Eviction

Immigration status

21% believed that they would be threatened by the police

Their own arrest

Of those who had called the police, 25% reported that they were threatened with arrest

Fear of losing custody

20% feared they would be reported to Child Protective Services

Should I call Police?



————— If a participant has not created a safety plan with you about when to contact police on their behalf, doing so without the person's consent can **limit their opportunities to make choices based on what they personally know to be most beneficial to support their safety and well-being.**

The person experiencing abuse may not **be in a place to speak honestly with law enforcement about the abuse.** If law enforcement does show up, it might be safest for the person being abused to deny or downplay the abuse, particularly if the abusive individual is present.



————— **The police might not believe that abuse is happening.** It's common that the Abusive partner will lie or manipulate the situation to the police to get them to go away.

Should I call Police?



Having police involved could upset the abusive partner. When the police leave, the abuser might harm their partner more because police were involved.

The abusive partner might have connections to the police department. This can create a very difficult situation for the victim because the abusive partner is in a position of power outside of the relationship.



If the victim is in an LGBTQ+ relationship, the police might hold the common (though incorrect) belief that abuse isn't possible in these types of relationships.



Part of executing a safety plan is having **the participant initiate conversations with family members, friends, coworkers and caring neighbors about when to call police.** Many people feel like calling the police can be a way to help. In a moment of a crisis, it's natural to want to reach out for support from local law enforcement; so people are surprised to hear that it's not always the best response for an individual in an abusive relationship.



What else can bystanders do?



————— If they overhear abuse happening, **keep a record of the event**. Mark the day it happens, the time it happens and what they heard or witnessed. This record can provide evidence if the victim does choose to approach law enforcement.

If they live next to the person and hear abuse happening, they could knock on the door and ask to borrow an item as a way to interrupt what's happening.



**Keep in mind that if at any point they personally feel in danger or unsafe, they have every right to contact police for themselves. Their personal safety and well-being are very important as well.



————— Help remind the victim that **there's more to their life than the abuse they're experiencing**. They can ask if they can help with their self-care and emotional safety. Sometimes it can be more helpful to talk about hobbies, work, children, other relationships, health and nutrition, and more – it reminds survivors of their identity outside of the abuse and can give them a break from the trauma



Police intervention can also be **life-saving** and can help survivors get connected to other resources.

Its important for all survivors to feel **as prepared as possible if they choose to contact the police**. The following information is meant to be a general primer for speaking with police and making a report, but keep in mind that people's experiences may vary and that personal safety is the priority. Survivors know their situation best; they do not have to take any actions that they believe would jeopardize their safety.





While Speaking with Police in a FV Situation

Try to remain calm

Survivors always have the right to their feelings, and it's understandable to be upset, angry or crying. But breathing deeply and trying to calmly answer any questions will help the police more effectively intervene.

Status/Language Doesn't Matter

Regardless of your legal status, domestic violence is a crime, and you have the right to safety and support

Be Straightforward

An officer might ask, "What happened tonight?" If their partner hit them, they should describe where and how, and show and photos or visible injuries

Disclose Firearms

Tell police about firearms your partner may own and where they are located in the home. This also applies if your partner has threatened, harassed or injured you previously with a firearm.

Remember Rights

If their abusive partner is present, they can tell they want to be interviewed separately. Similarly, they do NOT have to sign any documents they do not understand or cannot read.

Report Relevant Info

Tell police asap if their partner has warrants, uses an alias, there is an active RO, their partner is armed with a weapon or if they have been strangled or choked.



Other Options for Making a Report

FVU/SVU

Directly contacting the Victim Services Unit* or Special Crimes Unit for a local police department, if available

Advocacy/A safe space

Calling a domestic violence service to see if you can meet an officer at the local shelter or service. Some Domestic Violence Services may be able to arrange an Advocate to support the participant during the reporting process.

Non-Emergency

Violent crimes can not be reported online





“The police have not helped”



— Talk with a local crisis center/shelter

Many domestic and sexual violence services have developed relationships with law enforcement and can help you navigate that system.

Ask to speak with a supervisor or commanding officer —

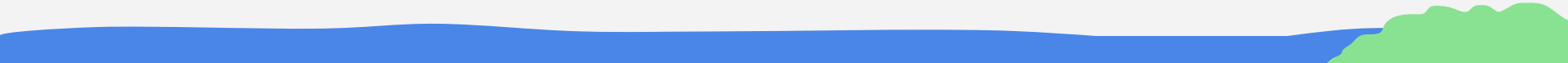


Again, it is helpful to ask if there is a Victim Services Unit or victim advocate associated with the police department.



— Learn more about your legal rights

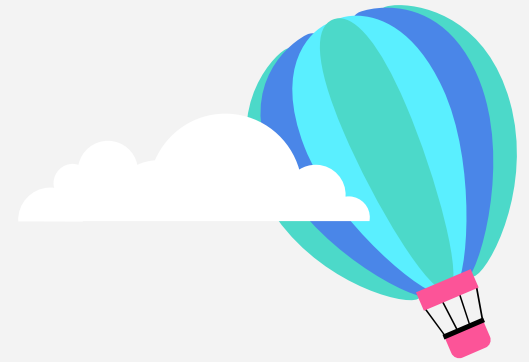
This can help you continue to advocate for yourself. [Womenslaw.org](https://www.womenslaw.org) is a good place to start.





01

The Violence Against Women Act (VAWA)





Quick Glossary

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<u>HUD</u>	The United States Department of Housing and Urban Development
<u>PHA</u>	Public Housing Authorities
<u>Thanks slide</u>	You must keep it so that proper credits for our design are given
<u>Colors</u>	All the colors used in this presentation
<u>Icons and infographic resources</u>	These can be used in the template, and their size and color can be edited
Editable presentation theme	You can edit the master slides easily. For more info, <u>click here</u>



The passage of VAWA in 1994 and its reauthorization in 2000, 2005, 2013, and 2022 have changed the landscape for victims who once suffered in silence.

Survivors of domestic violence, dating violence, sexual assault, and stalking have been able to access services, and a new generation of families, professionals, and politicians have come to understand that domestic violence, dating violence, sexual assault, and stalking require immediate intervention.





President Biden **reauthorized** the Violence Against Women Act of 2022

Increased Spending

for housing supports, legal assistance, alternatives to criminal responses and prevention programming

Tribal jurisdiction

allows tribes to hold non Native perpetrators accountable for sexual assault, child abuse, stalking, sex trafficking, and assaults on tribal law enforcement

Housing Protections

Expands access to emergency/short term protections for survivors, a protected right to report crime and emergencies from one's home, a prohibition on retaliation.

Culturally Specific Programs

Increases investments in the above including a new community-based pilot program to support training to provide non-carceral accountability for survivors.

Health Responses

Increases training for sexual assault forensic examiners, strengthened grant programs that allow health care systems to respond to victims of sexual violence, and directs HHS, the CDC, HIS tp study the the intersection of gender-based violence and maternal mortality.

Protection from Cybercrime

Improves enforcement of these crimes and creates the National Resource Center on Cybercrimes Against Individuals as well as a civil right of action for individuals whose intimate virtual images are shared without their consent

Who gets covered by VAWA?

VAWA's housing protections are available to someone [who has previously or is currently](#) experiencing domestic violence, sexual assault, dating violence, or stalking. The survivor does NOT have to be married to, related to, or living with the perpetrator to be protected by VAWA. It does not matter how long ago the survivor experienced the violence. A survivor's immigration status in itself does not impact a survivor's right to VAWA's housing protections.

VAWA's housing protections, in part, apply to a survivor if they are applying for or living in shelter, transitional housing, or permanent housing that is subsidized by a [federal homeless assistance program or federal affordable housing program](#).

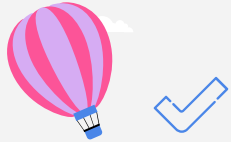


VAWA Housing Protections



Victims cannot be denied admission to or assistance under a HUD-subsidized or assisted unit or program because of the VAWA violence/abuse committed against them.

Cannot be evicted from a HUD-subsidized unit nor have their assistance terminated because of the VAWA violence/abuse committed against them.



Cannot be denied admission, evicted, or have their assistance terminated for reasons related to the VAWA violence/abuse, such as having an eviction record, criminal history, or bad credit history.

VAWA Housing Protections



Must have the **option to stay** in their HUD-subsidized housing, even if there has been criminal activity directly related to the VAWA violence/abuse.

Can **request an emergency transfer** from the housing provider for safety reasons related to the VAWA violence/abuse committed against them.



Must be **allowed to move with continued assistance**, if the survivor has a Section 8 Housing Choice Voucher.

VAWA Housing Protections



Must be able to provide proof to the housing provider by self-certifying using the HUD VAWA Self Certification Form HUD-5382 and not be required to provide more proof

Has a right to strict confidentiality of information regarding their status as a survivor.



Can request a lease bifurcation from the owner or landlord to remove the perpetrator from the lease or unit, and if the housing provider bifurcates, it must be done consistent with applicable federal, state, or local laws and the requirements of the HUD housing program.

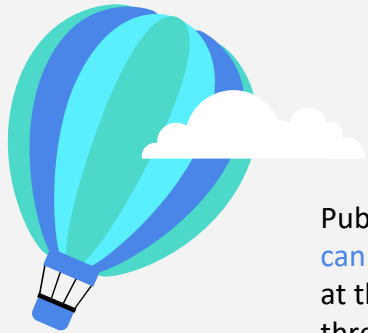
VAWA Housing Protections



Cannot be coerced, intimidated, threatened, or retaliated against by HUD subsidized housing providers for seeking or exercising VAWA protections.

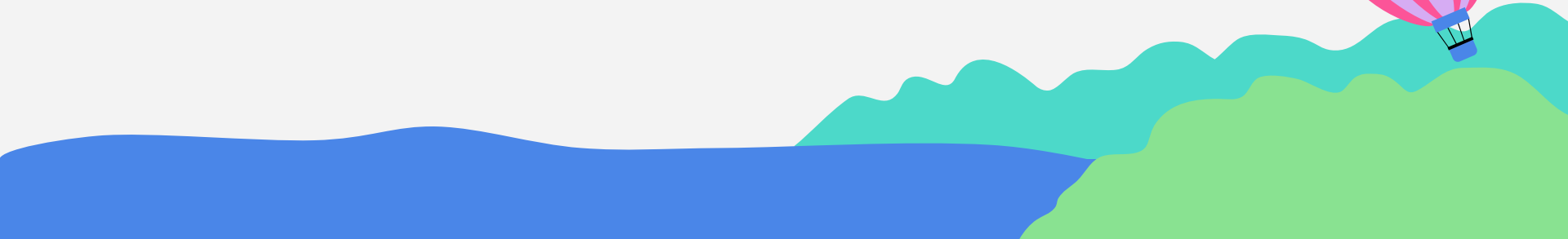
Has the right to seek law enforcement or emergency assistance for themselves or others without being penalized by local laws or policies for these requests or because they were victims of criminal activity.





Public housing authorities (PHAs) and owners **can still evict** tenants who are survivors if they **can demonstrate that there is an “actual and imminent threat”** to other tenants or employees at the property if the survivor is not evicted. HUD regulations define “actual and imminent threat” as referring to a physical danger that is real, would occur within an immediate timeframe, and could result in death or serious bodily harm”

The regulations further state that **evictions should only occur if there is no other action to be taken that would reduce or eliminate the threat.** Examples of other actions include transferring the survivor to another property or barring the person causing harm from the premises



A few notes on Section 8

VAWA states that a housing authority [can terminate Section 8 Housing Choice Voucher assistance to the abuser while preserving assistance to survivor](#). This is called a family breakup. In the Section 8 Housing Choice Voucher program, if a family breakup results from violence or abuse, the public housing authority (PHA) must ensure that the victim keeps the housing assistance

Many housing authorities prohibit Section 8 voucher tenants from moving during the first year of their lease, or from moving more than once during a 12-month period. However, [VAWA provides an exception](#) for victims of domestic violence, dating violence, sexual assault, or stalking





“My Landlord is Trying to Evict Me for a Lease Violation”

If you are sued for eviction

Contact your local legal services office ASAP. Representation provides the best change of accessing legal protections

Remember

- VAWA does not prevent eviction for lease violations that are unrelated to the abuse
- But the landlord cannot treat you worse than other tenants because you are a survivor.
- If the violation of the lease is related to domestic violence, dating violence, sexual assault, or stalking that was committed against you, VAWA applies

To Claim VAWA Protections

1

Inform the LL that the violation is related to family violence

2

The LL can take your word or request documentation (proof is due 14 days later)

3

Proof is the HUD 5382 Form or a qualified third party statement

Key takeaway 1

VAWA does not cover private, market rate housing unless the LL accepts section 8

Key takeaway 2

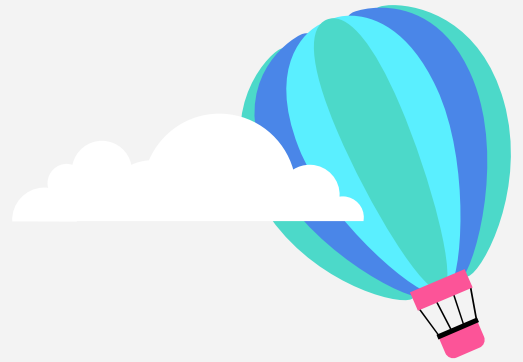
VAWA aims to encourage survivors to report and seek help for the abuse committed against them





05

Safety Planning Within the Legal System





Concerns a Legal Advocate can Address



"I don't know what legal options I have in this situation."

Legal advocates can provide relevant information around the laws of the state and county and let survivors know of available legal protections for victims of abuse.



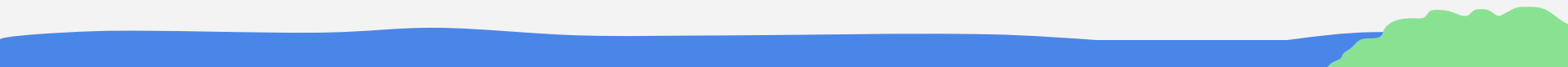
"I can't afford a lawyer."

The expense of a lawyer can be a boundary that keeps survivors of abuse from getting the legal services they need and deserve. Legal advocates can help survivors connect with assistance



"I am scared to go to court."

Legal advocates understand that the court system is not always trauma informed or understanding of how distressing the situation could be for someone who has suffered abuse. They can help alleviate some stress by (see next slide)





Legal Issues Advocates can Provide Info on:

01

Divorce

02

Custody and Child Support

03

Protective Orders

04

Immigration and VAWA
Rights (Violence
Against Women Act)

05

Housing Rights

06

Police Reports and Criminal
Proceedings



“I’m scared to go to court”

Legal Advocates can assist by

Discussing potential legal outcomes and safety planning around these outcomes

Approach

- Utilize email marketing campaigns to promote the case study and highlight key product features
- Leverage the power of social media to engage with our target audience
- Deploy targeted ads to reach potential customers and increase brand visibility

Results



Explaining the court process clearly and thoroughly



Safety planning around the court day



Accompanying the survivor to court

Key takeaway 1

Targeted ads, social media, and email reach customers

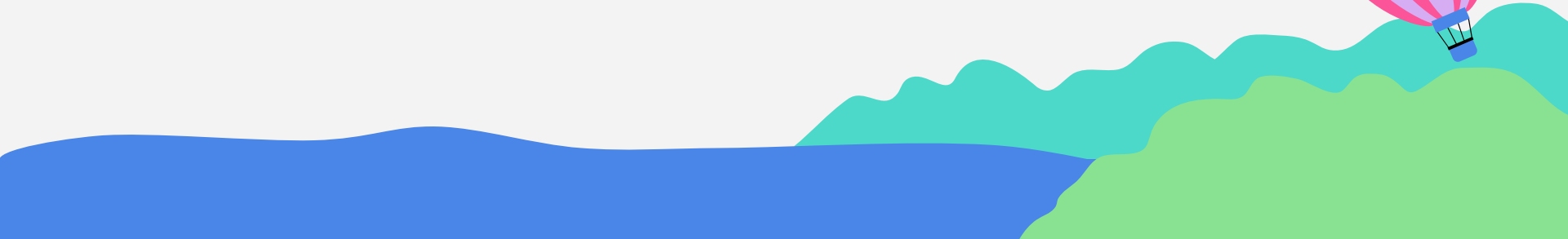
Key takeaway 2

Improved profitability through different streamlined operations





Part of executing a safety plan is having **the participant initiate conversations with family members, friends, coworkers and caring neighbors about when to call police.** Many people feel like calling the police can be a way to help. In a moment of a crisis, it's natural to want to reach out for support from local law enforcement; so people are surprised to hear that it's not always the best response for an individual in an abusive relationship.



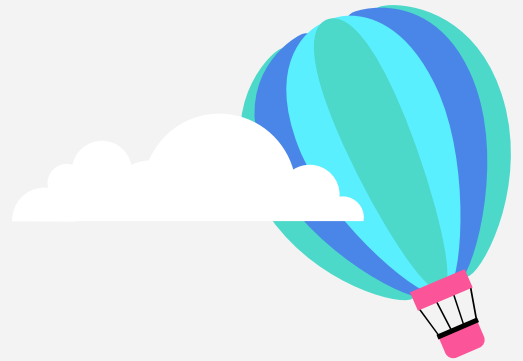
“I don’t think going through the legal system is right for me”

Survivors are in the best position to make these choices for themselves, and legal advocates can not only discuss legal options, but help explore alternate safety planning strategies for situations where legal systems are not required to be involved.



07

Restraining Orders in Minnesota



For the purpose of getting an Order for Protection, “domestic abuse” is defined as any of the following acts committed by a **family or household member**

causing physical harm, bodily injury, assault or making you afraid of immediate (imminent) physical harm, bodily injury or assault

terroristic threats, such as threats to commit a crime of violence, bomb threats, or showing (brandishing) a firearm

Criminal sexual conduct in the 1st through 5th degree

Sexual extortion

Interference with an emergency call which includes preventing someone from calling 911 or other emergency phone numbers or interrupting/ending an emergency call

[Look for Minn State 518B.01\(2\)\(a\)](#)



What kinds of OFPs are available? How long do they last?

Ex Parte

There are two kinds of OFPs: **ex parte orders** and **full orders**. However, unlike most other states, **Minnesota does not necessarily require that a hearing be held with both parties present before issuing a long-term (full) order.**

Minnesota law allows a judge to issue a two year order on the first court date and then it is up to the respondent/abuser to fill out paperwork to request a hearing to object to the order.

Full Order

When a petition is filed the Judge may issue an ex parte order for protection if they find an immediate and present danger of domestic abuse. **“Ex parte” means that the abuser is not notified beforehand or present in court - the judge will make this decision based only on the information provided in the petition.** An ex parte order will be effective for a fixed period set by the court and can generally last for up to two years or until modified or vacated by the judge after a hearing.





Do I have to go to court?

Not if you do not want to, but you may not get an OFP as a result

Petitioners can check a box requesting that if a hearing is needed, the OFP be dismissed. The abuser will not know they even filed

Hearings

- If the judge does not grant you an ex parte order on your 1st court date, the hearing for a full order for protection will be scheduled within 14 days.
- If there is a court hearing for a full, both parties (you and the abuser) should have a chance to present evidence, testimony, witnesses, etc. to prove why the order should/should not be issued.

A hearing is scheduled if



They request a hearing to ask the Judge for additional protection



The Judge decides not to grant all of the protection requested



The abuser requests a hearing once they are served

2 years

The first OFP can last for up to 2 years. You may petition to extend the order after expiration

50 years

The judge can order a 50 year OFP after granting two or more OFPs





You can be granted the following protections in an **ex parte order for protection**:

01

that the abuser not abuse you or your minor children

02

That the abuser **be removed** from the home that you share and that they **stay away** from a reasonable area surrounding your home

03

that the abuser **stay away** from your place of work

04

that the abuser **not contact you**, either in person, by telephone, mail, email or other electronic devices, or through another person (a “third party”)

05

that any insurance coverage currently available to you remain unchanged

06

possession of a pet or companion animal kept by you, the abuser, or a child of you or the abuser, and that the abuser not physically abuse the animal



you can get the following protections as part of a **full order of protection**:

01

temporary custody of your children and/or establishing temporary parenting time giving primary consideration to the safety of you and your children

02

temporary child support and/or spousal support

03

counseling or other social services for you and the respondent if you are married or if you have minor children together

04

temporary use and possession of property that you share with the abuser, such as a car

05

an order that neither party sell, damage, or get rid of property, or use it as the basis for a loan

06

restitution paid to you from the abuser to compensate you for your medical bills and/or lost income as a result of the abuse, for example



Continued

07

an order that the abuser not possess firearms for the time that the order is in effect; The judge is **supposed to** include this prohibition against possessing firearms in all situations where the order: instructs the abuser to stop harassing, stalking, or threatening you, or from engaging in other conduct that would place you in reasonable fear of bodily injury; **and** includes a determination (“finding”) that the abuser represents a credible threat to your physical safety **or** prohibits the abuser from using, attempting to use, or threatening to use physical force against you

08

an order for any other relief that is necessary to protect you and your children, including ordering the sheriff or other law enforcement to act in a certain way – for example, to accompany you to the home to get your belongings.



Which County Can I File an OFP in?

The county either you or the abuser live in

The county the abuse happened in

The county in which there is or was a family court proceeding involving you and the abuser (a custody case)

** If an OFP is denied in one county, please do not schedule an MFIP participant to try and file in another applicable county, as it is considered venue shopping





Steps to obtain an OFP:

FIRST fill out necessary forms and file them with the court

Encourage participants to read the petition carefully and ask questions if they do not understand.

Approach to writing

- Describe in detail what the abuser did to hurt or threaten
- Explain where and when the abuse occurred
- Write about incidents of violence using descriptive language such as “slap, hit, choke”
- Be specific and include approximate dates if necessary

Ways to fill out forms:

Online

The Guide and File software on mncourts.gov conducts and interview and turns in the petition electronically

In Person

Participants can get a printed copy at any MN Courthouse fill it out hand written and return to the desk to file it

Advocate

Some DV agencies will schedule an appointment to assist a participant with filing.

Evidence

It is not necessary to submit evidence with the petition. In the case of an evidentiary hearing, evidence will be uploaded to a court website

Please Note

The Ramsey County Petition is **21 pages long** without writing in it. Participants might need help





Steps to obtain an OFP

A judge will review your petition

If you are in immediate danger, they will issue an “ex parte” order



Process

- A judge decides using only the facts you outlined in your petition ie they take your word for it
- They will compare the facts to the OFP statute and decide whether an emergency exists
- The abuser does not have to have been notified in advance to receive an ex parte order, which can last up to two years

Outcomes of Judicial Review



Ex parte order



Ex parte denied, hearing scheduled



Order dismissed

One Business Day

In Ramsey County the Domestic Abuse Office has one business day to process the petition and get it in front of a judge

Notify Petitioner

In Ramsey County the DAO will call the petitioner and let them know the status of the Judge’s review. They will then email or mail documents



Ramsey County Domestic Abuse Office

8am-4:30pm
25 West 7th St
St Paul MN 55102

651-266-5130





Steps to obtain an OFP

Service of Process

An ex parte order is not enforceable until the papers have been served upon the abuser



Alternative Means

- If service is unsuccessful a judge can allow you to mail a copy to any addresses where there is a reasonable possibility information will be forwarded or communicated to the respondent and published in a newspaper for one week
- Service shall be considered complete 14 days after mailing or court ordered publication

Ways to be served



Service is usually done by the Sheriff civil process office, but probation officer or a jail employee can also serve



Police officers can provide a “short form notification” that informs that abuser of the basic elements of the order



If service is unsuccessful because the respondent is avoiding service by hiding or for any other reason, you can file an affidavit with the court to explain what happened

14 day deadline

If the Respondent is not served within 14 days of the ex parte, and the petitioner does not take steps to publish, the OFP expires

Personal Service

Unless service by mail is ordered by a judge, someone must physically hand the documents to the Respondent. In OFP cases the petitioner can not do so their self

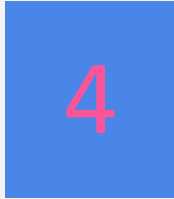




Steps to obtain an OFP

The Hearing

If you request relief beyond what can be issued ex parte, a hearing will be scheduled



Process

- If you are ordered to return to court for a hearing and you do not attend the hearing, the OFP will be immediately dismissed.
- If you absolutely cannot attend, contact the court clerk immediately and ask how you can get a continuance for a later court date

Potential Court Dates

- | | |
|---|---------------------|
| 1 | Initial Hearing |
| 2 | Evidentiary Hearing |
| 3 | Motion Hearing |

Opt out of hearings

Petitioners can check a box that will dismiss their order if the hearing is requested

Opt in to relief

Petitioners can check a box asking that certain relief be addressed only if there is a hearing scheduled



Need to Know: Enforcing a Restraining Order

ROs go one way

Victims cannot “violate” their own RO.

However, there can be negative consequences for a victim whose actions could cause the abuser to violate the order, like making the order harder to enforce.

Abuser has to be notified

The abuser has to be notified of the order before it’s effective – To obey an order, the abuser has to know the things they are prohibited from doing.

Full Faith and Credit

Any state or territory can enforce an order from a different state or territory. It only applies to orders issued after the abuser has notice of the order and the opportunity for a hearing, even if they did not attend the hearing.

Measure and refine

Measure the effectiveness of your content and refine your strategy based on data. Analyze metrics such as traffic, engagement, and conversion





If the abuser violates the order

Victims can enforce their ROs by reporting violations to police

Even a minor violation can be a crime and contempt of court. AN abuser can be arrested, fined, jailed or ordered to participate in programming

Approach

- For the violation to be a gross misdemeanor, the abuser would have to commit the violation within ten years of a prior conviction for a “qualified domestic violence-related crime
- They may be guilty of a felony for violating within 10 years of 2 or more convictions, for falsely imprisoning a victim, acting which in possession of weapons and more

Punishment for Violations in MN

Mis	Imprisoned for up to 90 Days + Fined up to 1,000
Gross Mis	Imprisoned up to 1 year + Fined up to 3,000
Felony	Imprisoned for more than 1y, fined up to 10,000 (Length of jail time will depend on factors determined by the judge)

Calling Police

Assure a police report is filed out documenting the violation even if no arrest is made

Extensions

Documentation of violations can assist a victim who wants to extend their order





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Used and alternative resources	An assortment of graphic resources that are suitable for use in this presentation
Thanks slide	You must keep it so that proper credits for our design are given
Colors	All the colors used in this presentation
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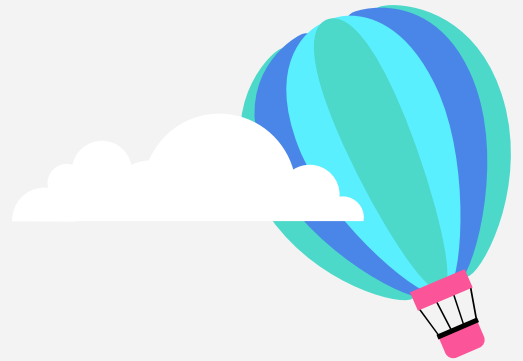
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08

Safety Planning for Pets





Pets are part of the majority of Minnesotan Households. These animals are often treated like members of the family. If the family is experiencing violence, the pet may become a target as well

Animal threats and abuse can be used as a method of asserting power and control. [71% of domestic violence victims reported to the National Hotline that their abuser threatened or harmed a family pet.](#)





As many as 65% of DV Victims are unable to escape abusive situations because they **are concerned about what will happen to their pets**

01

Encourage participants to get their animals vaccinated and licensed, with registrations under their own names.

02

Take steps to change an animal's registration if necessary

03

Plan for temporary care: **MNAFAS** is an MN services that assists victims with temporary fostering

04

Pets can be included OFPs

05

If a victim is fleeing an abusive partner they may need to have provisions of pet food/care items on hand

06

If a victim must flee without their pet and the animal is at risk for abuse, they can call animal control and request removal

In the case of stalking, it may be enhance a victim's safety to have them change vets, in case a co-owner is notified of an appointment. Victims can also avoid putting their address on a pet's ID tag. We can also encourage victims to avoid leaving their pets outside unsupervised.

MNAFAS is a great option for any victim feeling overwhelmed or unable to care for their pet. **Temporary foster care** is scheduled via their intake line 952-646-6563

******Pets need to be spayed/neutered prior to the program, or the parent needs to consent to have the procedure done during the temporary stay





Pet Planning Considerations

07

Encourage victim's to consider their pets hiding spots so they do not need to spend time looking if they need to flee

08

Help victim's source a cat or pet carrier, especially if they do not have their own car, so they can take Lyft/Uber

09

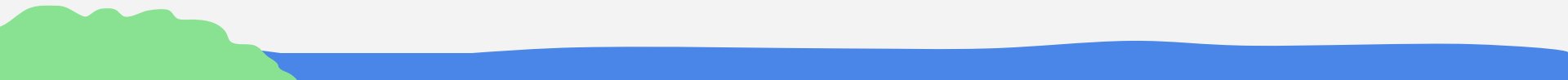
Get vaccination records onto a phone or an email that could be logged in to

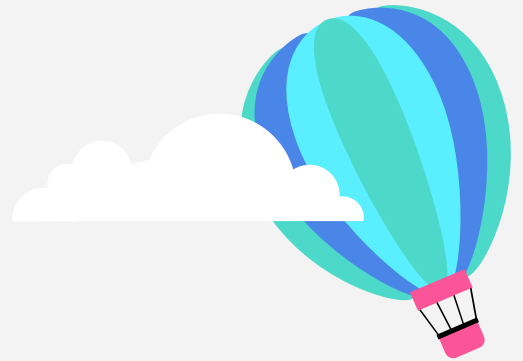
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Ask neighbors, friends and family whether they could step in and care for a pet if needed

11

If a pet enters foster care, their location must be kept secret for the safety of the foster family





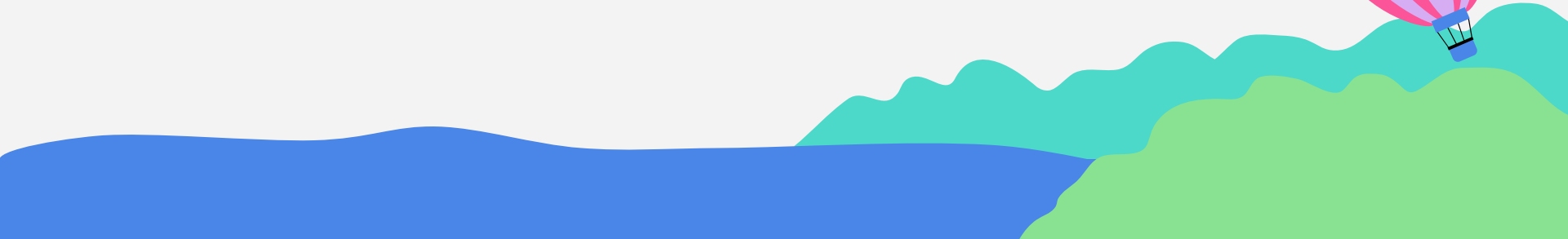
01

Safety Planning for Technology





Abusers are often very determined to maintain control over their victims, and technology is one of many tools they use to do this. If it seems like the person knows too much about you, they could be getting that information from a variety of sources, like monitoring your devices, accessing your online accounts, tracking your location, or gathering information about you online





Plan Strategically Around Technology

When abusers misuse technology, it's a natural reaction to want to throw away devices or close online accounts to make it stop.

Some abusers may escalate their controlling and dangerous behavior if they feel they've lost access to the victim. Before removing a hidden camera that you've found, or a GPS tracker, [think through how the abuser may respond and plan for your safety.](#)

For example, some survivors choose to use a safer device for certain interactions, but also keep using the monitored device as a way to collect evidence.

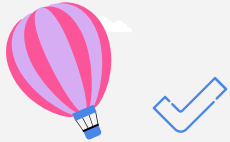


Consider cutting off their access



Have participants make a list of every account they use. Have them change every single password, turning on double factor authentication whenever possible

Change all emergency contacts away from the abuser .



Cannot be denied admission, evicted, or have their assistance terminated for reasons **related to** the VAWA violence/abuse, such as having an eviction record, criminal history, or bad credit history.



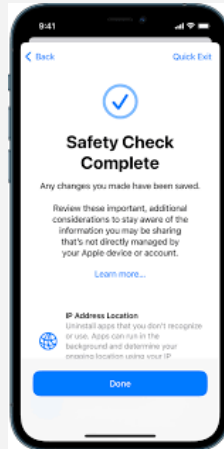
Is the victim using an iPhone?

Apple Safety Check

- Available to anyone running iOS 16 + Under the “Privacy and Safety” Tab in Settings
- Allows users to review and reset who has access to location information, passwords, messages and other apps

Emergency Reset

- Users will be prompted to reset their emergency contacts
- Update their passcodes and touch ID information



Resets Privacy Permissions

- The safety check feature resets privacy permissions on all apps
- It limits iMessage and Facetime sessions to the device from which the check was initiated

Prompts Apple ID Change

- Safety check prompts the user to reset their Apple ID password which logs them out of iCloud. Basic and accessible stalkerware typically works on iPhones when the abuser has their targets iCloud Password



AirTags

Small, easy-to-hide tracker

- Designed to help users keep track of their valuables, they are a quarter sized and retail for \$29
- When paired with an iOS device, the user can track the location of the tag using their iPhone



Android App

- Apple launched an app that allows Android users to detect nearby AirTags called “Tracker Detect”

Notifications

- iPhone users will be alerted that an unknown AirTag is moving with them – this notification can be delayed

Warning Sound

- When the air tag is not Bluetooth connected to the iPhone that tracks it for 24 hours it will ring (beep) intermittently



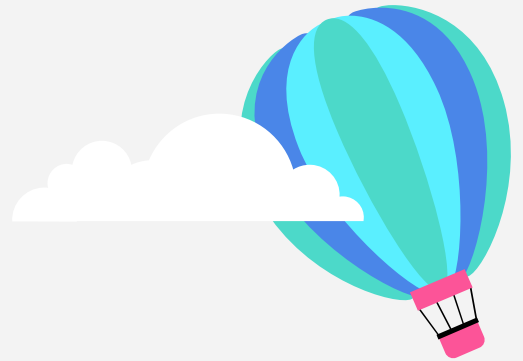
Start over as a last resort. All of these steps are meant to let the person keep an existing contact information, like an email and phone number, as well as hold on to social media and messaging accounts. Changing them is a huge inconvenience that could cut them off from people in their life. Asking someone to close off from people they wants to be connected to can be a lot like the isolation a lot of abusers want





09

Safety Planning: Documentation





Ways to document abuse include

01

Keeping a journal of what you experience, including descriptions of how the incident made you feel.

02

Writing down statements you, your partner, or any witnesses make before, during, or after the abuse.

03

Recording dates, times, and descriptions of incidents. If furniture is overturned or items were thrown, describe the scene and take photos of the damage.

04

Documenting any injuries, no matter how small (with photos if possible). If a phone isn't safe, use a disposable camera

05

If someone is calling over and over, let the calls go to voicemail and save the audio

06

Create a stalking log



Ways to document abuse include

07

Do you have a trusted friend, coworker or family member who knows what's going on and would be willing to help? There are many ways they can help document the abuse — whether that's a coworker making note of times your partner calls you at the office, or a friend holding your journal at her house.

08

Filing a report with the police, if you determine that it's safe for you to do so. You can call non-emergency and ask “Hypothetically, if there was something that was happening that I would want to report...” Find out about the protocols and procedures of filing a police report. This can help you prepare for filing a police report if you need to, **which creates a paper trail of the abuse.**

09

Seeking medical care, even if there are no visible injuries, **especially if you have been strangled or choked.** If you're visiting a doctor for an injury, ask them about safe ways they can make notes about the abuse — ex. Some can write “cause of an injury” without it having to go to the police.



Technology Abuse Documentation

Keep a log of all incidents

Some of the information you might want to include is the date, time, location, officer information (if reported), witnesses (if any), suspected technology involved (e.g., phone, email, etc.), and a brief description of what the abuser did

Save Everything

If you receive a threatening note or a threatening message by email, text message, or voice mail, make sure you save it. Take a photo or screenshot of the message. Maybe print it out.

**Try to include a date in the screenshot

Store Creatively

Make sure all your documentation is stored in a place that your **abuser is unable or unlikely to look**. Be creative in how and where you store evidence. Examples of ways to safely and creatively store digital evidence include:

- Creating a **separate email** address for the sole purpose of documenting abuse
- Having a **back up drive** to upload any important documents or information.
- Using a password-protected **online journal** (taking care to keep your password private).
- **Hiding printed evidence** in a place your abuser won't look, like a separate room or hidden in the basement.





DOCUMENTING SEXUAL ASSAULT

If you intend to pursue criminal legal charges against your attacker, you'll also need to take steps immediately after the incident to document the abuse [before cleaning yourself or changing clothes](#).

Go to an emergency room or health clinic. It's extremely important for you to seek health care as soon as you can after being assaulted. You can expect to be treated for any injuries, offered medications to help prevent pregnancy and/or STIs, and have tests run to ensure your long term well-being. There may also be sexual assault advocates in the area who can assist you and answer any questions

A Sexual Assault Nurse Examiner (SANE) can provide these services and collect evidence in case you decide to pursue legal action in the future.

If you determine that it's safe for you to do so, you may report what happened to law enforcement do your best to avoid altering or destroying any evidence of the attack to prepare a stronger legal case. That means don't shower, wash your hair or body, comb your hair, or change your clothes



What to document



Emails contain IP addresses, which could reveal the originating IP address and therefore the identity of the sender. Because of that, it's important not to delete the email and not forward the email to someone else.

If saving email content by printing or taking screenshots, be sure to also save the email

Text messages that are just stored on a phone may be inadvertently deleted or may be automatically deleted if you run out of space. Take a screenshot or picture of the text messages to retain the evidence. Also take a screenshot of the contact page to show that the harassing messages from the abuser are associated with the abuser's phone number.



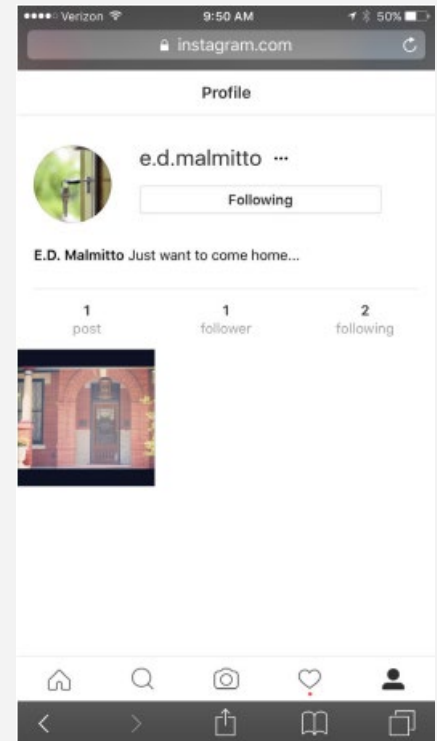
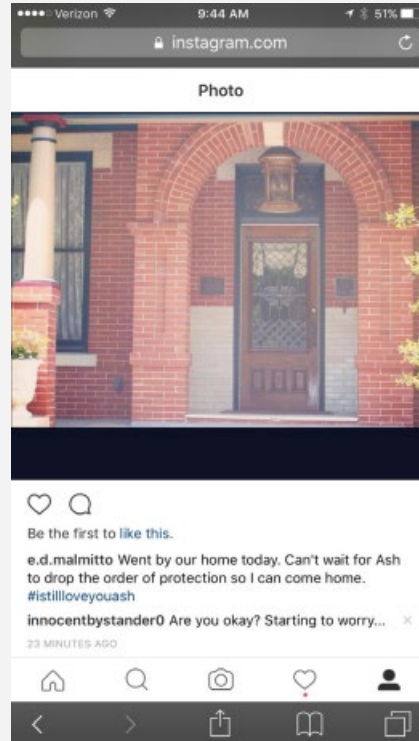
To keep evidence of harassment on **social media**, take a screenshot of the harassment/abuse on your computer or device. Some sites offer alternative ways to document activity on the site or on your page. For example, using Facebook's "Download Your Information" (DYI) feature, you can capture all content and save for later

Capture Profile Information

NCJFCJ published a guide on the best practices for “capturing” evidence of technology abuse for court:

https://www.ncjfcj.org/wp-content/uploads/2018/02/NCJFCJ_SRL_HowToGatherTechEvidence_Final.pdf

**Remember a participant can not just show the judge their phone in court. The device would be taken as evidence





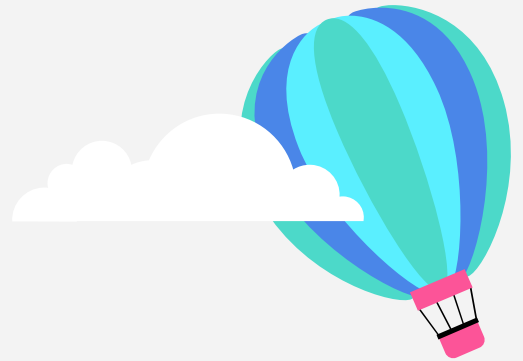
STALKING INCIDENT AND BEHAVIOR LOG

Date	Time	Description of Incident	Location of Incident (physical location, technology used, online platform)	Witness Name(s) (attach address and phone number)	Evidence Attached? (photos, video, screenshots, items, etc.)	Report Made To (name, office/org, badge or identification #)



10

Financial Safety Planning

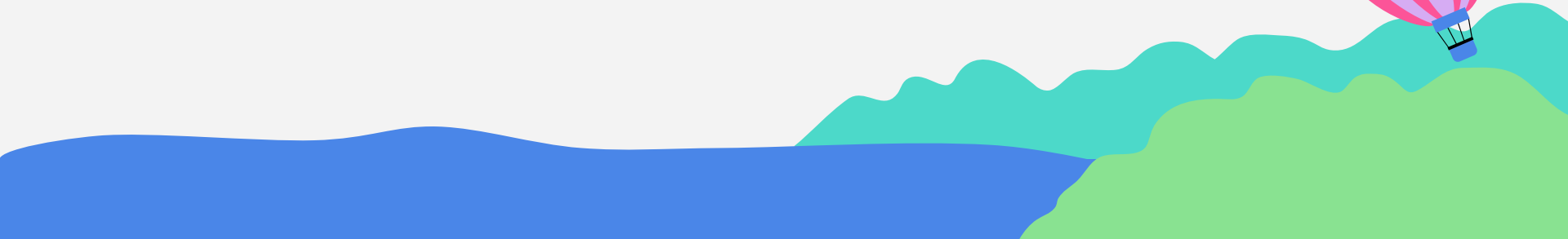




Survivors lose an estimated

8,000,000 days

per year in paid work. The estimated loss of earnings is \$727,831, which does not include the losses in healthcare, childcare and court costs associated with abuse





Long-term consequences of financial abuse may span months, years, or decades

Survivors may have to overcome ruined credit, find work despite a sporadic or a general lack of employment history, and/or manage legal issues due to the actions of the abuser. Women living in poverty experience domestic violence at twice the rate of those not living in poverty, which highlights the **cyclical relationship between abuse and financial hardship**





Financial Safety Planning Steps

01

Create your own financial assets whether that be a private bank account or your own personal cash that is hidden from your partner

02

If your employer offers direct deposit for paychecks, you can divvy the check into multiple accounts. Send the increased portion off to a new account

03

Get important documents like passports, social security card, birth certificates or immigration papers to a secure spot, maybe outside the home

04

You can call and set up two-factor authentication on your bank information and credit cards, You can talk to your bank about getting notified when someone tries to change a password or makes a withdrawal

05

Talk to a trusted family member or friend who could safe keep money or receive public assistance checks at their address for you

06

Make a list of things you own with your partner (cars, mortgage etc.) and take pictures to help show ownership



Financial abuse occurs in 98% of domestic violence cases, often trapping the victim in the relationship

07

Consider taking at least half joint funds immediately upon leaving, 75% if leaving with children

08

When leaving, document how funds were spent as you may be asked to account for expenditures at a later date

09

Protective orders can offer temporary economic relief including child/spousal support

10

If coerced debt has occurred, pull credit reports immediately to close any open accounts and add a personal statement to the credit report

11

Check out [ftc.gov/idtheft](https://www.ftc.gov/idtheft) if identity theft has occurred

12

Go to www.irs.gov/advocate to locate a Low Income Taxpayer Clinic and other tax resources if problems with the tax return arises



Financial Resources

<u>NNEDV Website</u>	Financial tips and information on ending a financial relationship with an abusive partner
<u>Allstate Moving Ahead Curriculum</u>	In partnership with the NNEDV, Allstate created a curriculum with modules discussing credit, building financial foundations, and creating budgeting strategies. This curriculum is <u>also available in Spanish</u>
<u>Federal Trade Commission</u>	a large portion of regaining financial power is fixing your credit. The FTC is helpful by offering free credit reports, support in reporting identity theft, and consumer alerts to keep updated on financials. The website can also help find a credit counselor and counseling on the difference between debt relief and bankruptcy.
<u>HelpGuide</u>	List that covers all the bases of leaving financially abusive relationships. It includes safety planning and ways of protecting privacy. dissects many common thought processes survivors may have while still in the relationship. This can help expunge the fear of the unknown that prevents many from leaving their abusive partners.
<u>Women's Law</u>	an be used to determine state-level laws regarding abuse and survivors' rights.

11

Safety Planning at School



a student, will want to consider **safety at school** as part of their overall safety plan

Title IX

May define what your school must do to support you. They may be obligated to respond to sexual harassment, which includes dating violence, via a complaint process (“grievance process”). You can choose to get supportive measures even if you do not want to go through a complaint process, but the measures cannot punish the abuser

Supportive Measures

such as moving to a new dorm, a new locker, allowing you to change a schedule after class has started, offering academic support (like tutoring or extra credit) and connecting you with counseling resources

Shared Campus

If your abuser does not go to school with you, you can ask the school about barring them from the campus. They may issue a persona non grata order barring them from school events and areas of school grounds





No-contact orders are one common type of supportive measure. A no-contact order is an order from your school that says that the abuser cannot contact you, and it may include other requirements depending on the situation.

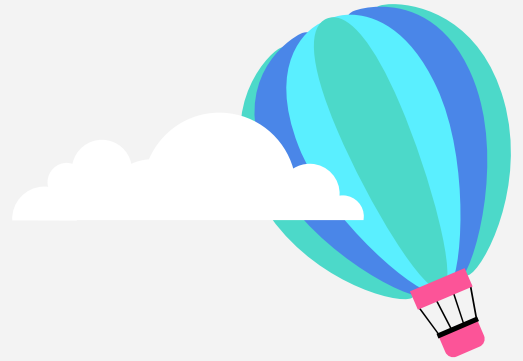
For example, if you and the abuser share a class, it might be able to order that an abuser has to sit in a certain seat so that s/he does not come near you. If someone violates a no-contact order, then s/he may be subject to sanctions like suspension. Many schools issue “mutual no-contact orders” that say that you and the abuser both cannot contact each other. You should think through the situations where you might encounter the abuser to figure out what types of supportive measures you might need. To request supportive measures, you can reach out to your school’s Title IX Coordinator.

If your school gets federal funding, they are required to have a Title IX coordinator



12

Using a Confidential Address





Steps to take **after leaving** an abusive relationship

01

Change your locks! Even if the abuser left their key with you, they may have other copies that you don't know about.

02

If you rent your home, you may likely have to get permission from your landlord first before changing the locks and give a copy of the new key to your landlord.

03

Put dead bolt locks on your door. If you can, replace any wood doors with steel or metal doors

04

If you have the money, think about installing a security system. Some agencies may have funding for a Ring Doorbell Camera

05

Keep bushes, trees, and other plants around your house well-trimmed so it's more obvious if someone approaches your home.

06

Change your phone number. Try to assure this does not disconnect you from your support network



Steps to take **after leaving** an abusive relationship

07

Explain your situation to anyone who takes care of your children or anyone who picks them up from school.

08

If the abuser is not allowed to be near the children, let the school or day care know this and even give them a copy of your restraining order.

09

Keep a certified copy of your restraining order with you at all times, if you have one (maybe on your phone)

10

Let friends, neighbors and employers know that you have a restraining order in effect and to let you know if they see the abuser around your home or work. Provide a picture if they don't know what they look like.

11

If you feel that it would not negatively affect your job, you might want to tell people you work with about the situation. See if someone else can screen your calls.

12

Get a full check-up with your doctor to see if you need any medical treatment. Keep in mind that the abuser may not have been faithful and so you may want to get tested for sexually transmitted diseases.



Steps to take after moving away from an abuser

01

Be careful about ever giving out your new address and phone number.

02

Be aware that addresses can be listed on ROs and police reports. Before filling out your new address on any forms, ask if there's any way to keep your address confidential

03

Reschedule appointments that you made before leaving that the abuser may know about.

04

Take a different route to the grocery store, bank, restaurants, and any other place you go on a regular basis or find new ones if you can.

05

Change the route that you use to get yourself to work or your children to school. Drop them off at a different entrance if possible.

06

Enroll in the Safe at Home Address Confidentiality Program!

Safe at Home Address Confidentiality Services are administered by the Office of the Minnesota Secretary of State.

When someone enrolls in Safe at Home, **they are assigned a PO Box address that they can use as their legal address.** In Minnesota, all public and private entities must accept a participant's assigned address and a participant cannot be required to disclose their real address.

This allows a Safe at Home participant to go about his or her daily life without leaving traces of where they can typically be located, such as their residential address, a school address, or an employment address. This safety measure is an attempt to keep their aggressor from locating them.

Because Safe at Home participants use a PO Box address assigned to them, Safe at Home provides a mail forwarding service. First Class Mail is forwarded to a participant's home address. The participant's real address remains under security with the Safe at Home office



Should I add **SAH enrollment** as a safety planning activity?

A person must reside in
Minnesota

A person must be afraid for
their personal safety, or be
afraid for the safety of their
child or ward, or be afraid
for the safety of another
person with whom they
reside

A person who is a
registered predatory
offender, or a predatory
offender required to
register in any state, is not
eligible.

Eligible people enroll in Safe at Home with the help of [Safe at Home Application Assistants](#). An application assistant is an employee of a victim service agency who has been trained to assist with the Safe at Home application process. There are approximately 300 Safe at Home Application Assistants located in various communities throughout Minnesota.



12

Employment Rights for Victims of Violence



Can I take **time off work** because of FV?

Yes!

If you or a family member has been abused or harassed, or if you or your immediate family member is a crime victim, you can take time off work

Employer Can't Fire You

threaten you, or discriminate against you in any way because you took reasonable time off to get an OFP or HRO. An employer can't try to punish you by lowering your pay, or changing things about your job, because they don't like you taking the time off.

Approved Activities

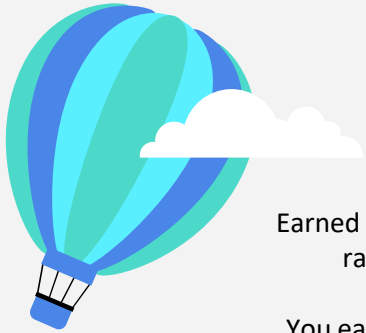
- To get an Order for Protection (OFP) or Harassment Restraining Order
 - To go to court hearings
- To testify as a witness in a criminal matter if you are asked to testify

Safe and Sick Time

Your employer has to let you take this time off but doesn't have to pay you for the time off.

***But, if you have Minnesota Earned Sick and Safe Time, you can use it.





Earned **Sick and Safe Time** is paid leave that your employer must give you. You must keep getting your regular rate of pay. This paid leave can happen **if you need to look for help for yourself or a family member who has dealt with domestic abuse, sexual assault, or stalking.**

You earn 1 hour of sick and safe time for every 30 hours you work. You can earn up to 48 hours each year or more if your employer chooses. If the city you work in has a more protective law, the employer must follow it.

You are eligible for sick and safe leave if you:

Work at least 80 hours in a year for an employer in Minnesota and are not an independent contractor.

You are eligible even if you are a temporary or part-time employee. This leave may be waived in a collective bargaining agreement for building and construction employees.



How do I let my employer know I will be gone?

If you can, you have to give your employer 48 hours' notice ahead of time when you will not be at work. If it is impossible because waiting might put you or your children in danger, then you don't have to give this notice

Your employer can ask you to prove where you are, and what you are doing, but they have to keep the information private.





MN Crime Victims Reimbursement Program

\$\$

The reimbursement program provides financial help to victims and their families for losses incurred as a result of the crime.

Eligibility

To apply, you have to report a violent crime to the police within 30 days of it happening. The claim must be filed within 3 years, and you **must cooperate with the investigation and prosecution**

How to apply?

Apply through the Victim Services Portal. Once in the portal, the user creates a profile, submits the requested information in the application, and uploads documents to support the application.

What's Covered?

- Funeral and burial expenses
 - Medical and dental bills
- Mental health counseling expenses
- Child care and household services
 - **Loss of wages**
 - Crime scene cleanup



Can I collect unemployment if I quit my job due to DV?

Yes!

If you need to quit because of domestic violence, sexual assault or stalking that involves you or an immediate family member you can collect

You will need proof

- a court order including an OFP or HRO
- a police report documenting abuse
- proof that the abuser has been convicted of abuse
- medical documentation of abuse
- a written statement provided by a social worker, member of the clergy, shelter worker, lawyer, or other professional who has helped you. The statement should explain that you or your family member is a victim of domestic violence, sexual assault or stalking.





Safety planning in a workspace

01

Consider telling your employer about your situation. If you have a protective order, you can provide it to your employer

02

Change your work phone # or extension or route your calls through an office receptionist

03

Request to transfer to a different desk, shift or site if possible

04

Have a colleague or security guard escort you to your car or a public transportation stop

05

If you do not have a protective order, you could provide a photo to security and request the abuser be barred from entering

06

Make an effort to arrive and leave at different times and take different routes and exits if possible



Safety planning in a workspace

07

A protective order can prevent an abuser from coming within two city blocks of your workplace

08

Ask whether your company has a policy to address domestic violence. People may have been granted accommodations in the past that could be suggested

09

How far is the parking lot, train station, or bus stop from your job? If your current transportation is risky, consider changes that would make it safer, such as: commuting with a coworker

04

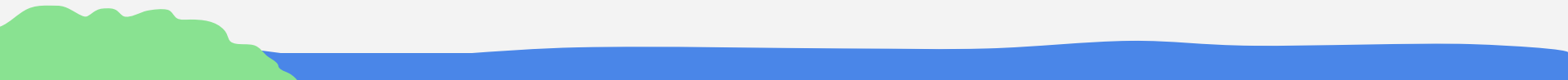
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Advice for speaking to an employer about abuse

\$\$

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