

**DNA PEOPLE'S LEGAL SERVICES**

# **DOMESTIC VIOLENCE RESOURCES GUIDE**



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



**CALL AN OFFICE NEAREST YOU**

*DNA Administrative*

P.O. Box 306 •  
Window Rock,  
Arizona 86515  
(928) 871-4151  
Fax: 928-871-5036

*Farmington DNA*

709 North Butler  
Ave.  
Farmington, NM  
87401  
505.325.8886 • Fax:  
505.327.9486

*Hopi DNA & Hopi  
Public Defender*

P.O. Box 558 •  
Keams Canyon, AZ  
86034  
928.738.2251/5345  
• Fax: 928.738.5343

*Chinle DNA*

P.O. Box 767 •  
Chinle, AZ 86503  
(928) 674-5242 •  
Fax: 928-674-2410

*Fort Defiance Office*

P.O. Box 306 •  
Window Rock,  
Arizona 86515  
(928) 871-4151  
Fax: 928-871-5036

*Flagstaff DNA*

2323 E. Greenlaw  
Lane, Suite 1  
Flagstaff, AZ 86004  
928.774.0653 • Fax:  
928.774.9452

*Tuba City DNA*

P.O. Box 765 • Tuba  
City, AZ 86045  
928.283.5265 • Fax:  
928.283.5460

*Centralized Intake*

1 (833) 362-1102

Visit our website at [www.dnalegalservices.org](http://www.dnalegalservices.org)



You may be eligible for DNA's representation  
at your Domestic Abuse Protection Order  
hearing.

Please call us or visit the nearest DNA office.



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## **Community Resources by Agencies**

### **Chinle/Central Agency**

Police/Emergency Numbers (928) 674-2111 or 2112  
Shelters/Safe Homes (928) 674-8314 or 8309  
Medical Services (928) 674-7001  
Social Services (928) 674-5740  
Legal Services (928) 674-5242  
Counseling Services (928) 674-7377  
Education/Employment Training (928) 674-2177  
Children Services (928) 674-2050  
Financial Assistance (928) 674-2184  
Housing (928) 674-8500

### **Crownpoint/Eastern Agency**

Police/Emergency Numbers (505) 786-2050  
Shelters/Safe Homes (505) 722-6389 (Gallup Battered Families)  
Medical Services (505) 786-5291  
Social Services (505) 863-9520 or 9529  
Legal Services (505) 786-2072  
Counseling Services (505) 786-5442  
Education/Employment Training (505) 786-4112  
Children Services (505) 722-2004 (Gallup Office)  
Financial Assistance (800) 288-7207  
Housing (505) 786-4000

### **Fort Defiance Agency**

Police/Emergency Numbers (928) 871-6111 or 6112  
Shelters/Safe Homes (928) 729-8000  
Medical Services (928) 729-8000

Social Services (928)871-7978  
Legal Services (928) 871-4151  
Counseling Services (928) 729-5931  
Education/Employment Training (928) 871-4131  
Children Services (928) 871-3436  
Financial Assistance (928) 871-3436  
Housing (928) 871-2600

*Shiprock Agency*

Police/Emergency Numbers (505) 368-1350 or 1351  
Shelters/Safe Homes (505) 368-1156  
Medical Services (505) 368-6001  
Social Services (505) 368-1168  
Legal Services (505) 368-1270  
Financial Assistance (505) 368-1170 or 1181  
Housing (505) 368-2030

*Tuba City/Western Agency*

Police/Emergency Numbers (928) 283-3111 or 31112  
Shelters/Safe Homes (928) 697-3635  
Medical Services (928) 283-2501  
Social Services (928) 283-3250  
Legal Services (928) 283-3136  
Counseling Services (928) 283-3346  
Education/Employment Training (928) 283-4511  
Children Services (928) 283-3177 or 3178  
Financial Assistance (928) 283-3279  
Housing (928) 283-5500

*Hopi Reservation*

Police/Emergency Numbers (928) 734-7340 or 7341

Shelters/Safe Homes (928) 738-1115  
Medical Services (928) 734-3402  
Social Services (928) 737-6342  
Legal Services (928) 738-5171  
Counseling Services (928) 738-1115

*Flagstaff/Page/Winslow*

Police/Emergency Numbers (928) 774-1414  
Shelters/Safe Homes (928) 774-7353  
Medical Services (928) 779-3366  
Social Services (928) 779-3681  
Legal Services (928) 774-0653  
Counseling Services (928) 779-6163  
Offender Treatment (928) 773-9376  
Education/Employment Training (928) 679-7120  
Children Services (928) 779-3681  
Financial Assistance (928) 283-3279  
Housing (928) 283-5500

*Farmington*

Police/Emergency Numbers (505)599-1004  
Shelters/Safe Homes (505) 599-0984  
Medical Services (505) 325-5011  
Social Services (505) 327-5316  
Legal Services (505) 325-8886  
Counseling Services (505) 564-9122  
Education/Employment Training (505) 566-3440  
Children Services (505) 325-0820 or (800) 288-7207  
Financial Assistance (505) 327-6001  
Housing (505) 327-5654

### *Gallup, Zuni, Laguna & Albuquerque*

Police/Emergency Numbers (505) 863-9365(Gallup PD) (505) 722-7205 (Sheriff)  
(505) 863-9353 (State Police)  
Shelters/Safe Homes (505) 722-6389  
Medical Services (505) 722-1000 (GIMC)

Social Services (505) 863-9556  
Legal Services (505) 863-6816  
Counseling Services (505) 863-3828  
Education/Employment Training (505) 863-8181  
Children Services (505) 722-6389  
Financial Assistance (505) 863-9545  
Housing (505) 722-4388

### *Colorado & Utah*

Police/Emergency Numbers (970) 565-8441  
(Cortez, CO) (435) 678-2334 (Blanding, Utah)  
Shelters/Safe Homes (970) 565-2100 (Cortez, CO)  
Medical Services (435) 767-0517 (Blanding, Utah)  
Social Services (970) 565-6666 (Cortez, CO)  
(435) 678-1491 (Blanding, Utah)  
Legal Services (800) 662-4245 (Blanding, Utah)  
(970-565-1414 (Cortez, CO)  
Counseling Services (970) 565-7588 (Cortez, CO)  
(435)767-0517 (Blanding, Utah)  
Education/Employment Training (505)566-3440 (Farmington, NM)  
Children Services (505) 325-0820 (Farmington, NM)  
Financial Assistance (505) 327-6001 (Farmington, NM)  
Housing (505) 327-5654 (Farmington, NM)



## Introduction

The purpose of this handbook is to assist victims of domestic abuse by telling them how and where to get help, educate, inform, and help victims understand the impact of domestic violence and the available resources.

### What is Domestic Violence?

Domestic violence is a pattern of assaults, coercive words, and controlling behavior that restricts the activity and independence of another individual and to gain power and control over an intimate partner. Domestic violence affects people of all cultures, religions, ages, sexual orientation, educational background, and income levels. Domestic violence includes any and all forms of abuse: physical, sexual, emotional, verbal, financial, psychological, and spiritual. The motivation is always to control another person's behavior thoughts and emotions. Domestic violence often begins with verbal abuse and emotional abuse and can escalate to physical abuse.

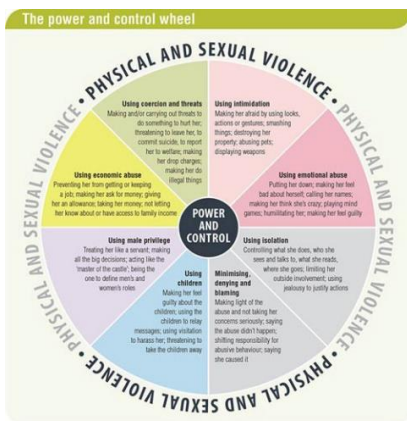
The most widely known type of abuse is physical abuse. Physical abuse may include pushing, shoving, slapping, biting, kicking, strangling, hitting, or use of a weapon. Sexually abuse includes rape, partial rape, or any forced sexual activity.

Although physical and sexual abuses are the most easily recognized, the effect of emotion and verbal abuse may be traumatic and long lasting.

The threats and humiliation can be more significant and longer lasting than bruises and broken bones. Emotional and verbal abuse



include belittling, making the victim feel bad about themselves, name calling, making the victim think they are stupid or crazy, undermining, and playing mind games. Financial abuse is not allowing the victim to work, or apply for financial benefits, or not providing the victim and children with money to support the family when that money is available. Spiritual abuse includes denying the value of your spiritual beliefs and misuse of religious customs and practices.



## Power and Control

Many people believe that domestic violence and abuse is due to the abuser's loss of control over his or her behavior. Abusive behavior and violence, is in fact, a deliberate choice by the abuser in order to keep and maintain his or her control. Abusers will use many difference tactics to maintain their power and control

### Dominance

When abusers need to feel in charge of the relationship, they will often make decisions for you and the family, they tell you what to do, and they may expect you to obey them without a question. The abusive individual may treat you like a servant, child, or even as his or her possession.

### Humiliation

An abuser will do everything he or she can to make you feel bad about yourself or defective in some way. If you believe you're worthless and that no one else will want you, you're less likely to leave. Insults, name-calling, shaming, and public put-downs are all weapons of abuse designed to erode your self-esteem and make you feel powerless.

### Isolation

In order to increase your dependence on him or her, an abusive partner may keep you from seeing family or friends, or even prevent you from going to work or school. You may have to ask permission to do anything, go anywhere, or see anyone.

### Threats

Abusers commonly use threats to keep their partners from leaving or to scare them into dropping charges. Your abuser may threaten to hurt or kill you, your children, other family members, or even pets. He or she may also threaten to commit suicide, file false charges against you, or report you to child services.

### Intimidation

An abuser may use a variety of intimidation tactics designed to scare, such tactics include making threatening looks or gestures, smashing thing in front of you, destroying property, hurting your pets, or putting weapons on display. The clear message is that if you don't obey, there will be violent consequences.

### Denial and Blame

Abusers are very good at making excuses for the inexcusable. They will blame their abusive and violent behavior on a bad day, money issue, and alcohol. The abusive partner may minimize the abuse or deny that it happened. He or she will commonly shift the blame on you: This violent and abusive behavior will result in it being your fault and not the abuser's fault.

### **REMEMBER:**

- Abusers are able to control their behaviors – they do it all the time.
- Abusers pick and choose who they abuse – they don't insult, threaten, or assault everyone in their life – they abuse those closest to them, the ones they claim to love.
- Abusers carefully choose when and where to abuse – they control themselves until no one else is around to see their abusive behavior. They might act like everything is fine in public, but lash out as soon as you are alone.

- Abuse are able to stop their abusive behavior when it benefits them – most abusers are not out of control, in fact, they are able to stop when it is to their advantage i.e. when the police show up.
- Violent abusers usually direct their blows where they won't show – many physically violent abusers carefully aim their kicks and punches where the bruises and marks won't show.

### Characteristics of Abusers

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

- Jealousy and Possessiveness
- Randomly and/or often checks up on the victim
- Makes all primary decisions
- Has control over all finances and assets
- Manipulative
- Abuses drugs and alcohol
- Insecure-low self-esteem-likes to put others down
- Low impulse control-gets mad easily
- Rigid role expectation-men should be the boss
- Jekyll-Hyde personality-extreme mood swings
- Defensive can't take responsibility-never their fault.

### Children and Domestic Violence

In homes where domestic violence occurs, children are at high risk for suffering physical abuse themselves. Often children are injured, either intentionally or accidentally, when caught in the middle of violence between the adults in their household.

Even when children don't see the actual violence, the emotional effects of witnessing domestic violence are very similar to the psychological trauma of being a victim of child abuse. They hear the screams. They see the bruises and broken bones, and are affected by the emotional after the trauma. Their reactions may be immediate or may appear a week, or even years later. Studies show that 90% of children from violent households are aware of the abuse. These reactions can vary due to the age of the child; a can include:

- Nightmares
- Sleep disorders
- Bed-wetting
- Diarrhea
- Frequent illnesses
- Eating disorder
- Delayed motor skills
- Difficulties at school/Trouble getting along with other children.

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

They may feel:

- Responsibility for the abuse
- Rage at the abuser
- Constant anxiety (that another incident will occur), fearfulness, and depression
- Guilt for not being able to stop the abuse or for loving the abuser
- Low self-worth; social isolation and difficulty interacting with peers and adults
- Fear of abandonment
- Mistrust of intimate relationships

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

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

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

### How can you help your children?

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

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

Teach them to:

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

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

### **REMEMBER:**

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

### How Victims May Feel

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

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

Shame and Guilt-Victims are told that they deserve the abuse, and they try to change their behavior to stop the abuse. This makes victims

feel progressively worse about themselves, because nothing they do stops the abuse. Victims may be ashamed about staying in the relationship. Each abusive incident progressively lowers a victim's self-esteem and initiative to leave the situation.

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

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

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

### Safety Plan

Developing a safety plan helps to evaluate the risks and benefits of different options. There is no right or wrong way to develop a safety plan. It is not intended to cover every situation. Use what applies. Add to it or change it to reflect your particular situation, then review it regularly and make changes as needed.

Safety during an explosive incident: If an explosive incident seems unavoidable, go to an area that has an exit. Try to stay away from the bathroom near hard surfaces, kitchen knives, or anywhere else where weapons might be available.

Practice how to get out of your home safely. Identify which doors, windows, elevators, or



stairwell would be best to use. Know your escape route. Practice how to get out of your home safely. Visualize your escape route.

Stay in a room with a phone. Call 911, friend or a neighbor, if possible. Inform them if there are weapons in the home.

Devise a code word or signal. Tell your children, grandchildren, or neighbors so you can communicate to them that you need the police.

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

Know where you're going. Plan where you will go if you have to leave home, even if you don't think you'll need to.

Trust your judgment. You know your situation best; do what is in your best interest to stay safe. You have the right to protect yourself until you are out of danger.

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

- Identification:
  - Driver's license, ID
  - Children's birth certificates
  - Your birth certificate
  - Social security cards
  - Certificates of Indian Blood

- Other forms of identification
- Financial Items:
  - Money or credit cards
  - Bank books
  - ATM cards
  - EBT (Food stamp) cards
- Legal Papers:
  - Your protection order
  - Lease, rental agreement or house deed
  - Home site lease papers, grazing permits
  - Vehicles titles, car registration and insurance papers
  - Health and life insurance papers
  - Medical records (immunization records, prescriptions), hospital cards
  - Marriage license, Divorce and custody papers
  - School records, IEP and report cards
  - Work permits, green card and passport
- Other items:
  - House and car keys
  - Toiletries
  - Medications
  - Children's small toys
  - Diaper bag with diapers
  - Pictures of you, your children and your abuser

- Change of clothes for you and your children
- Phone card
- Jewelry
- Address Book

Decide and plan for where you will go if you have to leave home even if you don't think you will need to. Use your own instincts and judgment. You know your situation best; do what is in your best interest to stay safe. You have the right to protect yourself until you are out of danger.

**ALWAYS REMEMBER: YOU DON'T DESERVE TO BE HIT OR THREATENED.**

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

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

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

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

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

Remember: Leaving your abuser is the most dangerous time! Domestic assaults occur at the point of separation or divorce. Leaving is the most potentially deadly time, but don't allow for the danger scare you. Have a plan for leaving.

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

- Change the locks on your vehicle doors - a locksmith or the car dealer can do this
- Discuss a safety plan with your children for when you are not with them,
- Inform your children's school, daycare, etc., about who has permission to pick up your children
- Inform neighbors and your landlord that your partner no longer lives with you and that they should call the police if they see him or her near your home.

### Victim Compensation

Every state, like Arizona, Utah, and New Mexico, administers a crime victim compensation program that provides financial assistance to victims of both federal and state crimes. If you are a victims of a violent crime or the next of kin of a crime who has died as a results of a criminal act, you may apply to your county's Crime Victim Compensation Board to recover certain

expenses. This money comes from surcharges and penalties that are paid by criminals. Victims

may apply to recoup losses paid for: medical or dental expenses, mental health counseling, funeral and burial cost, lost wages.

The county-based Crime Victim Compensation Board determines awards through an application process. The Crime Victim Compensation Board does not compensate for the loss of property or property damage. There are conditions which must be met to be eligible for compensation, and eligibility does not guarantee an award. You can get victim compensation applications from DNA, the County Attorney's Office or from your county's website.

### Victim Restitution

If someone is found guilty of the crime committed against you, the court may order that person to pay you the financial costs of victimization. The court-ordered payment is known as restitution. If charges filed in your case, it is important that you contact your prosecutor's office of victim services program for more information and assistance with the restitution process.

It is important to realize that since the defendant has been convicted of a crime his or her employment opportunities and ability to earn money may be limited. Defendants who are paying as much as they are able to pay toward their restitution, even if it is an amount lower than ordered, cannot be forced to pay more.

Unfortunately, the majority of the defendants who are ordered to pay restitution never pay the total amount.

### Rights of Crime Victims

Every crime has a victim who suffers some harm at the hands of the offender – physical, financial, psychological, or emotional. Many victim rights groups pushed to make sure crime victims are not lost or forgotten in the criminal justice process. Most states, including Arizona, New Mexico, and Utah, have passed law that protect the victims of crimes.

While the details may vary from state to state, most states affirm the following rights:

- The right to be treated with dignity and compassion
- The right to protection from intimidation and further harm,
- The right to be informed about the case's progress through the criminal justice system, including notice of a plea bargain
- The right to equal treatment in court

Most states will also provide services to crime victims, which may include:

- Providing emergency assistance immediately following the crime
- Providing services from victims of sexual assault, child abuse and domestic violence

- Providing counseling for witnesses of homicide and friends or relative of homicide victims,
- Informing victims about the progress of court cases and accompanying them to court

### Protection Order

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

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

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

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

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



### Issuance of a Protection Order

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

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

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

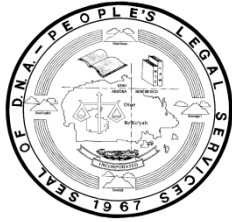
### Role of Law Enforcement

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

necessary to protect the victim from further abuse, including:

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

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



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