



HIGHLANDS COUNTY SHERIFF'S OFFICE

Sheriff Paul Blackman

400 S. Eucalyptus St., Sebring FL 33870

Notice of legal rights and remedies for victims of:

- Domestic Violence**
- Dating Violence**
- Repeat Violence**
- Sexual Violence**
- Stalking**

Highlands County Sheriff's Office

863-402-7200

Sheriff's Office Victim Advocates

863-402-6855 or 863-402-7329

State Attorney's Office (Sebring)

863-402-6549

Agency Case #: _____

Deputy Name: _____

Deputy ID#: _____

OUR VISION

Our vision is a safer Highlands County where citizens and law enforcement are joined together; the rights of all persons are respected; and community values are reflected.

OUR MISSION

The Highlands County Sheriff's Office is committed to protecting life, property, and individual rights while maintaining peace and order.

OUR PROMISE

Our promise is to deliver ethical and effective services to all of Highlands County in a professional and responsive manner that demonstrates our commitment to honoring the public trust.

What is domestic violence?

Under the provisions of Section 741.28, F.S., domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

A family or household members are spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married.

With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit. Domestic Violence includes:

- Physical Abuse: pushing, slapping, kicking, punching, choking, beating
- Emotional/Verbal Abuse: threats, verbal intimidation, following and stalking, or acting out in anger
- Sexual Abuse/Battery: any unwanted touching or forcing of someone to engage in a sexual act against his/her will over time and on a continuous basis during the course of the relationship.

What is repeat violence?

Under the provisions of Section 784.046 of the Florida Statutes, repeat violence means two incidents of violence or stalking one of which must have been within 6 months of filing a petition and must have been directed against the petitioner or the petitioner's immediate family member.

What is dating violence?

Under the provisions of Section 784.046 of the Florida Statutes, dating violence is violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the following factors:

- A dating relationship must have existed within the past 6 months;
- The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
- The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.
- The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

What is stalking?

Under the provisions of Section 784.048 of the Florida Statutes, stalking occurs when a person willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person. Aggravated stalking occurs when that person makes a credible threat to that person through stalking.

**YOU HAVE RIGHTS.
KNOWING YOUR LEGAL RIGHTS AND OPTIONS
IS THE FIRST STEP TOWARD ENDING ABUSE.**

What are my rights?

You have the right to ask the State Attorney to file a criminal complaint, and you have the right to go to court and file a petition requesting an injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, or stalking if you are:

- The victim of domestic violence, repeat violence, dating violence, sexual violence, or stalking
- The parent of any minor child living at home who is seeking an injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, or stalking OR
- If you have reasonable cause to believe, you or your minor child is in imminent danger of becoming the victim of any act of domestic violence.

This may include, but need not be limited to provisions that:

- Direct the abuser to leave your household
- Restrain the abuser from any contact or further acts of abuse as a "no contact" condition of pretrial release, which will prevent the abuser from being within 500 feet of your residence, vehicle, school, business, or place of employment
- Award you custody of your minor child or children
- Direct the abuser to pay support to you and the minor child or children if the abuser has a legal obligation to do so.

For safety reasons, you may furnish your address to the court in a separate confidential filing when filing the petition for injunction.

You are not required to remain in a residence or household where you are a victim of domestic violence. Your address may be different from that of your partner without penalty.

What can the law do for me?

If you have been a victim of domestic violence, repeat violence, dating violence, sexual violence, stalking or if you are afraid that you will be hurt, Florida's domestic violence law enables you to work with the court system to help keep you safe.

Contact your local domestic violence center for safety planning prior to filing for an injunction. The Clerk of the Court is required to assist you in seeking both injunctions for protection and enforcement for a violation of an injunction. Representation by an attorney is not required of either party as per Section 741.30(1)(f) of the Florida Statutes. Go to the Clerk of the Court's Office in your county courthouse.

- Bring identification.
- Bring information about where the abuser can be located.
- Bring any other information on the abuser, such as photos or identification.
- Bring any papers relating to your case.
- Tell the clerk that you are interested in filing petition for injunction for protection from domestic violence, repeat violence, dating violence, dating violence, or sexual violence.
- The Court Clerk will help you in filing the proper paperwork. By filling out these forms, you will be explaining to the judge exactly what type of protection you need and from whom you need protection..
- After you have completed the paperwork, the court may determine that danger of domestic violence exists. The court may order a temporary injunction, which is good for 15 days. Then a full hearing is held to consider your safety and the safety of your children.
- The abuser must be served with the injunction before it becomes effective. The injunction will tell the abuser what the judge requires and when to return to court for a hearing. This hearing will be within 15 days unless the abuser cannot be served.
- You are able to request notification of service of the injunction and receive notice automatically within 12 hours after the injunction is served.
- It is important for you to attend the hearing so that you can make sure the judge understands exactly what help you need and why. If you do not attend, usually the judge will end the injunction.
- After the hearing, a final injunction may be granted. The final injunction is valid until dissolved or amended by the court.

Emergency Domestic Violence Injunctions

Emergency injunctions are available after-hours for domestic violence injunctions only. Victims who need an emergency domestic violence injunction at night or on a weekend can initiate the process by contacting the Safehouse. The emergency domestic violence injunction petition will be processed by the Polk County Courthouse in Bartow, FL and will require the victim to appear in person at the Polk County Courthouse.

What to do if the abuser violates the injunction

- You will receive a copy of the injunction. Keep it with you at all times.
- If the abuser violates the conditions of an injunction, call the police right away.
- The abuser may be arrested.
- If the abuser is arrested, he/she will be held until the court determines bail.
- The judge will consider your safety and the safety of your children.
- You may go to court if you wish.
- The court may order penalties as allowed by law.

If the injunction has been violated, report the violation to the Clerk of the Circuit Court only if law enforcement states it cannot issue an arrest warrant, or issue a notice to appear because there is no criminal violation.

Report the violation to the county where the violation occurred and complete an affidavit in support of the violation. The judge will determine what action should be taken for your safety and the safety of your children.

Under the provisions of Section 741.315 (2), Florida Statutes, if you have an out of state court order for protection against domestic violence, federal and state law provide that law enforcement recognize and act on the order as if issued by a Florida court, as long as the issuing court gave the accused the opportunity for a hearing before issuing the order. This includes orders issued by courts from the District of Columbia, Indian tribes, commonwealth territories, or possessions of the United States.

Public Records: Exemption From Inspection

Under the provisions of Section 119.07, of the Florida Statutes any information which reveals the home or employment telephone number, home or employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence is exempt from public inspection and examination. You must make a written request and provide official verification, such as a law enforcement report, to the custodian of the records that an applicable crime has occurred. Such information shall remain exempt for 5 years, after which it will become available to the public.

Did you know?

On average, nearly 20 people per minute are physically abused by an intimate partner in the United States. During one year, this equates to more than 10 million women and men.

1 in 4 women and 1 in 9 men experience severe intimate partner physical violence, intimate partner contact sexual violence, and/or intimate partner stalking with impacts such as injury, fearfulness, post-traumatic stress disorder, use of victim services, contraction of sexually transmitted diseases, etc.

1 in 3 women and 1 in 4 men have experienced some form of physical violence by an intimate partner. This includes a range of behaviors (e.g. slapping, shoving, pushing) and in some cases might not be considered "domestic violence."

1 in 7 women and 1 in 25 men have been injured by an intimate partner.

1 in 10 women have been raped by an intimate partner. Data is unavailable on male victims.

1 in 4 women and 1 in 7 men have been victims of severe physical vio-

lence (e.g. beating, burning, strangling) by an intimate partner in their lifetime.

1 in 7 women and 1 in 18 men have been stalked by an intimate partner during their lifetime to the point in which they felt very fearful or believed that they or someone close to them would be harmed or killed.

On a typical day, there are more than 20,000 phone calls placed to domestic violence hotlines nationwide.

The presence of a gun in a domestic violence situation increases the risk of homicide by 500%.

Intimate partner violence accounts for 15% of all violent crime.

Women between the ages of 18-24 are most commonly abused by an intimate partner.

19% of domestic violence involves a weapon.

Domestic victimization is correlated with a higher rate of depression and suicidal behavior.

Only 34% of people who are injured by intimate partners receive medical care for their injuries.

IMPORTANT PLACES

Sheriff's Office
400 S. Eucalyptus St.
Sebring, FL 33870
863-402-7200

Clerk of Courts
430 S. Commerce Ave.
Sebring, FL 33870
863-402-6565

State's Attorney
411 S. Eucalyptus St.
Sebring, FL 33870
863-402-6549

IMPORTANT NUMBERS

Safehouse
Shelter for Battered Women and Children
863-386-1167 (24-Hour Hotline)

**Highlands County Sheriff's Office
Victim Advocate**
(863) 402-6855 or 402-7329 (Day)
Contact the Victim Advocate's Office for assistance with injunction paperwork and court accompaniment

Florida Domestic Violence Hotline
1-800-500-1119
(For legal assistance hit prompt #3)

National Domestic Violence Hotline
1-800-799-7233

Florida Abuse Hotline
1-800-962-2873
(To file confidential reports of child abuse)

National Dating Abuse Hotline
1-866-331-9474

National Runaway Safeline
1-800-786-2929
<http://www.1800runaway.org/>

National Child Abuse Hotline
1-800-422-4453
(24 hour help line which provides crisis counseling, information and referrals)



Stay In Touch With The HCSO



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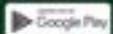


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