

# **PALM BEACH COUNTY SHERIFF'S OFFICE**

**P.O. Box 24681 • 3228 Gun Club Road  
West Palm Beach, FL 33406-3001  
(561) 688-3000**

# **Victim's Rights Brochure**

## **Your Rights as a Victim or Witness**



**also**

**Domestic Violence  
Dating Violence  
Notice of Legal Rights  
and Remedies Available**

**Domestic Violence Advocates:**

**(561) 688-4195  
(561) 688-4187  
(561) 688-3972**

**Victim/Witness Advocate:**

**(561) 688-3974  
(561) 688-4162**

**Victim Information and Notification  
Everyday**

**1-877-VINE-4-FL (1-877-846-3435)**

**Main Number:  
Emergency 911**

**THIS INFORMATION IS GIVEN TO YOU COURTESY  
OF THE PALM BEACH COUNTY SHERIFF'S OFFICE**

If you cannot read the material, please contact PBSO at 561-688-3080 to request an alternate format.

We realize that for many persons being a victim or witness to a crime is their first experience with the criminal justice and juvenile justice systems. As a victim or witness, you have certain rights within the system. This brochure is being provided to assist with questions you may have regarding those rights. For further information regarding these rights, please contact the State Attorney's Office (SAO) and/or the appropriate Law Enforcement Agency (LEA) handling your case.

DEPUTY'S NAME & ID NUMBER: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

## WHO IS A VICTIM?

"A victim is a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act or against whom the crime or delinquent act is committed. **The term victim includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim, except upon a showing that the interest of such individual would be in actual or potential conflict with the interests of the victim.** *The term "victim" does not include the accused.*" Article I, Section 16(b)(11), Florida Constitution

**This brochure provides an overview of the criminal justice process and your rights within this process. The person providing you this brochure may only handle a portion of the process. The last page of this brochure provides contact information for agencies that can assist you.**

## **AS A CRIME VICTIM, THE FLORIDA CONSTITUTION GUARANTEES YOU THE FOLLOWING RIGHTS**

*Article 1, Section 16(b), Florida Constitution*

- **The right to** due process and to be treated with fairness and respect for your dignity.
- **The right to** be free from intimidation, harassment, and abuse.
- **The right**, within the judicial process, to be reasonably protected from the accused and any person acting on behalf of the accused. However, this is not intended to create a special relationship between the crime victim and any law enforcement agency or office absent a special relationship or duty as defined by Florida law.
- **The right to** have your safety and welfare as well as your family's considered when setting bail, including setting pretrial release conditions that could affect you or your family's safety and welfare.
- **The right to** prevent the disclosure of information or records that could be used to locate or harass you or your family, or which could disclose your confidential or privileged information.
- **The right to** the prompt return of your property when no longer needed as evidence in the case.
- **The right to** full and timely restitution in every case and from each convicted offender for all losses you suffered, both directly and indirectly, because of the criminal conduct.
- **The right to** proceedings free from unreasonable delay, and to a prompt and final conclusion of the case and any related post-judgment proceedings. (In appropriate cases, the prosecutor may file a good faith demand for a speedy trial. In non-capital cases, all state-level appeals and post-conviction proceedings must be complete within two years and five years for capital cases, unless the court enters an order with specific findings concerning why the court was unable to do so and the circumstances causing the delay.)
- **The right to** be informed of your state constitutional rights, and to be informed that you can seek the advice of an attorney with respect to your rights.

## **AS A CRIME VICTIM, YOU ARE AFFORDED THE FOLLOWING CONSTITUTIONAL RIGHTS UPON REQUEST**

- **The right to** reasonable, accurate, and timely notice of, and to be present at, all public proceedings involving the criminal conduct, including, but not limited to, trial, plea, sentencing, or adjudication, even if you will be a witness at the proceeding, notwithstanding any rule to the contrary. **(For this purpose, consider providing the prosecutor an address, an email address, or a telephone number at which you can be reached quickly, and update this information during the pendency of your case.)** You shall also be provided reasonable, accurate, and timely notice of any release or escape of the defendant or delinquent, and any proceeding during which a right of yours is implicated.

- **The right to** be heard in any public proceeding involving pretrial or other release from any form of legal constraint, plea, sentencing, adjudication, or parole, and any proceeding during which a right of yours is implicated.
- **The right to** confer with the prosecuting attorney concerning any plea agreements, participation in pretrial diversion programs, release, restitution, sentencing, or any other disposition of the case.
- **The right to** provide information regarding the impact of the offender's conduct on you and your family to the individual responsible for conducting any presentence investigation or compiling any presentence investigation report, and to have any such information considered in any sentencing recommendations submitted to the court.
- **The right to** receive a copy of any presentence report, and any other report or record relevant to the exercise of a victim's right, except for such portions made confidential or exempt by law.
- **The right to** be informed of the conviction, sentence, adjudication, place and time of incarceration, or other disposition of the convicted offender, any scheduled release date of the offender, and the release of or the escape of the offender from custody.
- **The right to** be informed of all post-conviction processes and procedures, to participate in such processes and procedures, to provide information to the release authority to be considered before any release decision is made, and to be notified of any release decision regarding the offender. The parole or early release authority shall extend the right to be heard to any person harmed by the offender.
- **The right to** be informed of clemency and expungement procedures, to provide information to the governor, the court, any clemency board, and other authority in these procedures, and to have that information considered before a clemency or expungement decision is made; and to be notified of such decision in advance of any release of the offender.

## **ALL RIGHTS AFFORDED BY THE CONSTITUTION ARE ENFORCEABLE**

*Article 1, section 16(c), Florida Constitution*

The victim, the retained attorney of the victim, a lawful representative of the victim, or the office of the state attorney upon request of the victim, may assert and seek enforcement of these rights and any other right afforded to a victim by law in any trial or appellate court, or before any other authority with jurisdiction over the case, as a matter of right. The court or other authority with jurisdiction shall act promptly on such a request, affording a remedy by due course of law for the violation of any right. The reasons for any decision regarding the disposition of your right shall be clearly stated on the record.

# ADULT CRIMINAL JUSTICE PROCESS

The stages of the criminal justice system are as follows:

## PRETRIAL

After committing a crime:

- An offender may be arrested by a law enforcement officer.
- A court can issue an arrest warrant.
- A State Attorney's Office may file information; or
- A grand jury may recommend charges by returning an Indictment or Presentment.

**FIRST APPEARANCE - (Following the Arrest)** If the defendant cannot post bond within hours of the arrest or has been arrested on a no bond offense, or committed a crime which requires a first appearance, the court holds a "first appearance" hearing. The Judge decides whether the defendant can be released and if so, what conditions are necessary to protect you and the witnesses and the public.

**INTAKE** – If probable cause is found, the State Attorney's Office may choose to file charges and summons the suspect into court. You may be required to meet with your State Attorney's Office. Law Enforcement, prosecuting attorneys or any other government official cannot ask or require a victim of a sexual offense to submit to a polygraph examination.

**FILING OF FORMAL CHARGES** - The State Attorney's Office may file formal charges after reviewing law enforcement arrest reports, and within 21 days in certain circumstances. The State Attorney's Office has discretion whether to prosecute a person for a crime. The State Attorney's Office must inform any victims of its decision.

**ARRAIGNMENT** - The accused is formally charged and enters a plea of guilty, not guilty, or no contest. The State Attorney's Office will notify you of the arraignment date. You have the right to be present at the arraignment. In some cases, there will not be a formal arraignment hearing in court.

**RELEASE HEARING (SETTING BOND)** - If the defendant was unable to post a bond after the initial arrest, or if bond was not set, the defendant is entitled to a bond hearing. The State Attorney's Office will notify you of the scheduled hearing and you will have an opportunity to speak regarding the defendant's release and conditions or have the State Attorney make known your wishes.

**PRE-TRIAL CONFERENCE** - There may be numerous pre-trial conferences (including case status conferences) that allow the court to ensure the case is progressing in a timely manner. You, as a victim, will receive notice of the hearing dates. You are not required to attend these hearings, unless subpoenaed, but you have a right to be present and a victim advocate or your attorney can accompany you or attend these proceedings on your behalf, if you choose.

**DISCOVERY (PREPARATION FOR TRIAL) -**

**Subpoenas.** You may receive a subpoena for trial, a deposition and/or other hearings. A subpoena summons a person to appear at the time, date, and location specified.

**Depositions.** The defendant's attorney can issue a subpoena for you to appear for a deposition. You have right to request a victim advocate from the government or non-profit sector to attend the deposition with you. You have the right, as a victim who is not incarcerated, to not be required to attend discovery depositions in any correctional facility.

**PLEA NEGOTIATIONS** - Many cases are settled through a plea negotiation where the defendant pleads guilty or no contest without a trial. The State Attorney's Office must consult with the victim before finalizing the plea agreement with the defendant.

**PRE-TRIAL INTERVENTION/DIVERSION PROGRAM** - According to their discretion and office policy, the State Attorney's Office may agree to utilize pretrial intervention and diversion programs.

**Pre-Trial Intervention Program.** Defendants with no more than one nonviolent misdemeanor, who is charged with any misdemeanor or any third degree felony is eligible for release to the pretrial intervention program on approval of the administrator of the program and the consent of the victim, the State Attorney, and the judge. Successful completion of the program results in a dismissal of the charges.

**Diversion Program.** Diversion is similar to probation where the defendant accepts responsibility for the offense and is released under supervision for six months to a year. During the program, the probation office supervises the defendant. You have a right to provide the State Attorney with your opinion on the defendant's participation in the pretrial diversion program.

## **TRIAL**

Generally, the prosecutor presents evidence to either the judge or a jury about the case. The defendant may be found guilty or not guilty. The process ends if the defendant is found not guilty. You, as a victim, may be called to testify.

The State Attorney's Office will assist you during this process. You cannot be excluded from any hearing, trial or proceeding relating to the offense. Your rights involving the trial stage are listed in this brochure.

## **SENTENCING**

**PRESENTENCE INVESTIGATION (PSI)** - You have the right to provide information regarding the impact of the offender's conduct on you and your family to the individual responsible for conducting and/or compiling the presentence investigation. You have a right to review the non-confidential portions of the presentence investigation prior to the sentencing hearing.

**SENTENCING HEARING** - If the defendant is found or pleads guilty, the Judge reviews sentencing guidelines, plea agreements, and other factors and determines what type of sentence the defendant should receive. You have a right to provide an oral and/or written victim impact statement (VIS) to the State Attorney's Office at any time before the court imposes the sentence.

NOTE: If the victim and the offender attend the same school, the victim's parents have the right to attend the sentencing or disposition of the offender and request that the offender be required to attend a different school. (sec. 960.001(1)(s), Florida Statutes)

# JUVENILE JUSTICE PROCESS

**INTAKE** - The process of determining where a child under the age of 18 will be placed until the case is resolved. There are three forms of detention status: home, non-secure or secure.

**DIVERSION PROGRAMS** – This is an alternative to trial where the juvenile is placed in a community-based program such as juvenile arbitration, juvenile alternative services program (JASP), or a treatment plan (Walker plan). If a juvenile successfully completes the diversion program, then the charges are generally dismissed.

**FORMAL CHARGES** - The filing of a petition in court by the State Attorney's Office. The charge may be filed in either juvenile court or adult court, depending upon the crime and age of the offender.

**ARRAIGNMENT** - The accused is formally charged and enters a plea of guilty, not guilty, or no contest.

**ADJUDICATORY HEARING** - The trial of the juvenile, conducted in front of a judge. The judge will decide whether the juvenile committed the charged offense(s).

**DISPOSITIONAL HEARING (SENTENCING)** - When a juvenile is found to have committed a delinquent act, the court will hold a dispositional hearing to determine which sanctions to impose on the juvenile. The sanctions could range from community-based sanctions like probation and community services up to residential commitment.

**JUVENILES TRIED AS ADULTS** - Juveniles who commit very serious crimes may be tried as adults. Juveniles who are prosecuted as adults may be sentenced to adult or juvenile sanctions.

*This is not an exhaustive overview of the criminal justice system but is meant as an overview for how the process works. Each court and case could have unique components. You may contact your State Attorney or law enforcement agency for more information regarding the stages of the criminal justice and juvenile justice processes.*

## ADDITIONAL VICTIMS RIGHTS UNDER FLORIDA STATUTES

- You have the right to employ private counsel.
- In some cases, you (or relatives where the victim is deceased) may be eligible for financial compensation from the State of Florida. Information regarding eligibility may be obtained from the State Attorney's Office, local Witness Coordination Office (where available), law enforcement agency or from the Bureau of Crimes Compensation, Office of the Attorney General - 1-800-226-6667, website: [www.myfloridalegal.com/pages.nsf](http://www.myfloridalegal.com/pages.nsf). The right to receive information on available crisis intervention services and local community services to include counseling, shelter, legal assistance, or other types of help, depending on the particular circumstances. Telephone numbers of these services are provided at the end of this brochure. (*sec. 960.001(1)(a)1, Florida Statutes*)



- The right to receive information regarding the stages of the criminal justice or juvenile justice processes and the way information about such stages may be obtained. (sec. 960.001(1)(a)4, Florida Statutes)
- A victim who is incarcerated has the right, upon request, to be informed and submit written statements at all stages of the criminal and juvenile proceedings. (sec. 960.001(1)(a)6, Florida Statutes)
- The right to receive information on the steps available to law enforcement and the State Attorney's Office to protect you from intimidation and/or harassment. It is a third-degree felony to knowingly use intimidation or physical force; threaten another person or attempt to do so; engage in misleading conduct toward another person; or offer pecuniary benefit or gain to another person. If you are being threatened or intimidated, please contact the **appropriate agency** or any law enforcement officer. (sec. 960.001(1)(c), Florida Statutes)
- The right of the victim of domestic violence to be informed of the address confidentiality program administered through the Attorney General's Office. You may contact the Attorney General's Office at 1-800-226-6667. The State Attorney's Office may assist with this paperwork if necessary. (sec. 960.001(1)(c), Florida Statutes)
- The right of each victim, or witness, who has been scheduled to attend a criminal or juvenile justice proceeding to be notified as soon as possible by the agency or person scheduling his/her appearance of any change in scheduling which will affect the victim's or witness's appearance. (sec. 960.001(1)(d), Florida Statutes)
- The right to receive advance notification of judicial and post judicial proceedings relating to the case, including all proceedings or hearings relating to:

The arrest of the accused.

The release of the accused pending judicial proceedings, and any modification of release condition to include release to community control or work release.

Proceedings in the prosecution or petition for delinquency of the accused, including the filing of the accusatory instrument; the arraignment; disposition of the accusatory instrument; trial or adjudicatory hearing, sentencing or disposition hearing; appellate review; subsequent modification of sentence; collateral attack of a judgment; and when a term of imprisonment, detention, or involuntary commitment is imposed, the release of the defendant or juvenile offender from such imprisonment, detention or juvenile offender from such imprisonment; detention or commitment by expiration of sentence or parole and any meeting held to consider such release. (sec. 960.001(1)(e), Florida Statutes)

- In addition to the provisions of sec. 921.143, Florida Statutes, the rights of the victim of a felony involving physical or emotional injury or trauma, or in a case in which the victim is a minor child or in a case involving a homicide, the guardian or family of the victim shall be consulted by the State Attorney in order to obtain the views of the victim or family about the disposition of any criminal or juvenile case brought about as a result of such crime, including their views about:

The release of the accused pending judicial proceedings.  
 Plea Agreements.  
 Participation in pretrial diversion programs.  
 Sentencing of the accused.

- The right to request that the State Attorney or law enforcement agency help you explain to employers and creditors that you may face additional burdens by taking time off from work to assist law enforcement and you may undergo serious financial strain either because of the crime or by cooperating with authorities. (*sec. 960.001(1)(i), Florida Statutes*)
- Law Enforcement agencies and the State Attorney shall inform you of your right to request and receive restitution and of your rights of enforcement in the event an offender does not pay. The State Attorney shall seek your assistance in the documentation of your losses for the purpose of requesting and receiving restitution. If an order of restitution is converted to a civil lien or civil judgment against the defendant, the Clerk of Court's office shall make available at their office, as well as on their website, information provided by the Secretary of State, the court, or The Florida Bar on enforcing the civil lien or judgment. The State Attorney shall inform you if and when restitution is ordered. (*sec. 960.001(1)(j), Florida Statutes*)
- The right to receive reasonable consideration and assistance from employees of the State Attorney's Office, Sheriff's Office, or Police Department. When requested, you will be assisted in locating accessible transportation and parking and shall be directed to separate pretrial waiting areas when such facilities are available. When requested, you shall receive assistance in attempting to locate translators when practicable. (*sec. 960.001(1)(n), Florida Statutes*)
- The right of the victim of a sexual offense to have the courtroom cleared, with certain exceptions during his or her testimony, regardless of the victim's age or mental capacity. (*sec. 960.001(q), Florida Statutes*)
- The right to request, in certain circumstances that the offender be required to attend a different school than the victim or siblings of the victim. If the victim of an offense committed by a juvenile is a minor, the victim or any sibling of the victim attends or is eligible to attend the same school as that of the offender, the Department of Juvenile Justice or the Department of Corrections shall notify the victim's parent or legal guardian of the right to attend the sentencing or disposition of the offender and request that the offender be required to attend a different school. (*sec. 960.001(1)(s), Florida Statutes*)

- The right of the victim who is not incarcerated to not be required to attend discovery depositions in any correctional facility. (*sec. 960.001(6), Florida Statutes*)
- The statutory obligation of the victim, parent/guardian of a minor victim, or next of kin of a homicide victim, that any information gained pursuant to Chapter 960, Florida Statutes, regarding any case handled in juvenile court, must not be revealed to any outside party, except as reasonably necessary in pursuit of legal remedies. (*sec. 960.001(8), Florida Statutes*)
- The right to know in certain cases and at the earliest possible opportunity, if the person charged with an offense has tested positive for hepatitis and human immunodeficiency virus (HIV) infection. In such cases, upon request of the victim or the victim's legal guardian, or the parent or legal guardian of the victim if the victim is a minor, the court shall order such person to undergo hepatitis and HIV testing within 48 hours after the charging document is filed or 48 hours from the date of request. (*Section 960.003, Florida Statutes*)
- The right of a victim of a sexual offense to request the presence of a victim advocate during the forensic medical examination. An advocate from a certified rape crisis center shall be permitted to attend any forensic medical examination. (*sec. 960.001(1)(u), Florida Statutes*)
- If a victim has been diagnosed with autism or an autism spectrum disorder, he or she or the parent or guardian, has the right to request that a public safety official make a good faith effort to ensure that a related professional, such as a mental health counselor, special education instructor or clinical social worker be present for all interviews of the individual. All expenses related to the attendance of the professional at the interviews are the responsibility of the requesting victim, parent or guardian; however, the defendant shall reimburse the victim for all expenses related to the attendance of the professional at the interviews, in addition to restitution and penalties provided by law. (*sec. 943.0439, Florida Statutes*)

# **Victim's Rights**

## **“Marsy's Rights”**

### **Florida Constitution, Article 1, Section 16**

Article I, Section 16 of the Florida Constitution gives crime victims the following rights

#### **YOU HAVE THE RIGHT:**

- to receive due process from the courts and to be treated with fairness and respect for your dignity.
- to be free from intimidation, harassment and abuse.
- within the judicial process, to be reasonably protected from the accused.
- to have the safety and welfare of you and your family considered when setting bail or pretrial release conditions that could affect you or your family.
- to be heard in any public proceeding involving bail or pretrial release.
- to prevent disclosure of information or records that could be used to locate or harass you or your family or which could disclose confidential or privileged information about you.
- to prompt return of your property when no longer needed as evidence.
- to full and timely restitution in every case and from each offender convicted of the crime for all losses suffered, both directly and indirectly, as the result of the criminal conduct.
- to proceedings free from unreasonable delay and to a prompt and final conclusion of the case and any related post-judgment proceedings. (In appropriate cases, the prosecutor may file a good faith demand for a speedy trial, allowing the case to be tried within sixty days, assuming the defendant's due process rights can be met by such, and advancement in the trial date. In non-capital cases, all state level appeals, and post-conviction proceedings must be completed within two years, and capital cases within five years, unless the court enters an order with specific findings concerning why the court was unable to do so and the circumstances causing the delay.)
- to be informed of these rights and to seek an attorney's advice regarding these rights.

Also, upon your specific request, you have these additional rights:

- to reasonable, accurate, and timely notice of, and to be present at, all public proceedings involving the criminal conduct, including, but not limited to, trial, plea, sentencing, or adjudication, even if you are a witness at the proceeding.
- to reasonable, accurate, and timely notice of any release or escape of the defendant and of any proceeding during which a right of yours as the victim may be implicated.
- to confer with the prosecutor concerning any plea agreements, restitution issues, participation in pretrial diversion or release programs by the defendant and sentencing or any other disposition of the case.
- to provide information to anyone conducting or compiling a pretrial investigation regarding the crime's impact on you or your family, and to have such information considered by the court. Once the report is completed, you have a right to receive a copy of it, except for portions made confidential by law.
- to be informed of the conviction, sentence, adjudication, or other dispositions of a convicted offender, his or her release date, or the date of their escape from custody.
- to be informed of all post-conviction processes and procedures, to provide information to the release authority to be considered before any such release and to be notified of any release decision regarding the offender. This right is extended to every person harmed by the offender.
- to be informed of any clemency or expungement procedures regarding the offender, to provide information to the governor, the court, any clemency board, and other authority in these procedures, and to have that information considered before a clemency or expungement decision is made, and to be given notice of that authority's decision before the offender's release.

# DOMESTIC VIOLENCE

No one, not even someone you live with, has the right to beat you or threaten you with violence.

If this is happening to you, **YOU CAN TAKE ACTION**. Knowing your legal rights and other options is the first step toward ending the abuse.

## THERE IS A LAW TO PROTECT YOU

If someone is abusing you physically or sexually, threatening you, falsely imprisoning you, or if a family or household member is stalking you; there is a law to protect you. Family or household member means 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 resided together in the same single dwelling unit in the past. The law also protects you if you are currently in or have been in a violent dating relationship within the last 6 months.

## WHAT DOES THE LAW SAY?

**IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE OR DATING VIOLENCE**, you may ask the State Attorney to file a criminal complaint. For Domestic Violence, the State Attorney for Palm Beach County can be reached at 561-355-7433; and for Dating Violence contact 561-355-7100. 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

## CAN THIS LAW HELP?

Yes... if this individual has abused you physically or sexually, or if you have reason to fear that this person is about to be violent toward you. This special law in Florida enables you to get a Judge to ORDER the abuse to STOP.

The paper that starts this process is called a Petition for Injunction for Protection against Domestic Violence or Petition for Injunction for Protection against Dating Violence. This explains to the Judge from whom you need protection and exactly what protection you need. The clerk of the court will supply you with proper forms.

If you have left your home to avoid being abused, you can still file a petition.

## WHAT CAN THE JUDGE DO FOR ME?

After you file your petition, the Judge can sign a Temporary Injunction which will tell the abuser that he/she may not be violent toward you. The Temporary Injunction is given to you by the Judge. A court date will be set for a hearing within 15 days. You must attend the hearing to have the Injunction extended. A Palm Beach County Victim Services counselor will be at the hearing to support you. After the hearing, the Judge may extend the Injunction for up to one year or may grant a final Injunction. The final Injunction is valid until dissolved or amended by the court.

### WHAT DOES THE INJUNCTION DO?

Some things the Judge MAY order in the injunction are:

- that the abuser not commit any acts of violence against you, your children, or others living with you
- that the abuser immediately **leave** the home you share
- that the abuser stay away from your home if you are not living together
- that you have temporary custody of any children you and the abuser have together
- that the abuser go to counseling

The Judge can order other help depending upon the circumstances. This is why the contents of the Petition and your attendance at all hearings is so important – so that you can tell the Judge what you need and why you need it.

### WHAT IF THE ABUSE OR THREATS HAPPEN AGAIN?

A person who refuses to follow a Judge's order can be put in jail. If the abuser disobeys the Judge's order, contact the Police Department or Sheriff's Office and show them the certified copy of the Injunction for Protection. In some cases the officer will arrest the abuser. If the abuser is not arrested, the victim may go to the Clerk's Office and file an affidavit reporting the violation.

### DOMESTIC VIOLENCE ADVOCATE-VICTIM PRIVILEGES

A communication between a domestic violence advocate and a victim is "confidential" if it relates to the incident of domestic violence for which the victim is seeking assistance and if it is not intended to be disclosed to third persons.

A victim has a privilege to refuse to disclose, and to prevent any other person from disclosing, a confidential communication made in the course of advising, counseling, or assisting the victim.

### VICTIM / WITNESS HARASSMENT

Interference with a victim/witness by threats or acts of revenge is a serious crime in itself and a matter to which the Local Police Agency, the State Attorney's Office, and the Court will give particular attention and do their utmost to remedy. If you are having problems, or if you or your family are in any way threatened, immediately call the Police Department or the Sheriff's Office and make a full report of the events.

Sometimes after a suspect is arrested, defense attorneys or their investigators may attempt to contact you. You have a right to speak to anyone, unless a Court orders you not to discuss it. However, you are not obligated to discuss the case at all, unless you received a subpoena for a deposition or a trial. You have a right to privacy and to be left alone. If anyone harasses or intimidates you, please advise law enforcement personnel immediately.

# PALM BEACH COUNTY SHERIFF'S OFFICE

**Violent Crimes Advocate** (561) 688-3882

**Human Trafficking Advocate** (561) 687-6837

**Domestic Violence/Victim Witness Unit:**

**Domestic Violence Advocates:** (561) 688-4195 • (561) 688-4187

Spanish (561) 688-3972

**Victim/Witness Advocates:** (561) 688-3974 • (561) 688-4162

**Detectives:** (561) 688-4146

## DOMESTIC VIOLENCE

Abuse Registry  
(Elderly and Children).....1-800-962-2873

Atty. General's Offc.  
(Criminal Appeals).....561-837-5000

Clerk of Court-Restraining Orders....561-355-4506

Court Services (SOR, etc...).....561-355-6308

Florida Bar Lawyer Referral Service..1-800-342-8060

Florida Rural Legal Services, Inc.....561-820-8902  
Online Intake.....1-888-582-3410

Juvenile Assessment Center .....561-840-4810

Legal Aid Central.....561-655-8944  
South.....1-800-403-9353

PB Co. Victim Services - North .....561-625-2568  
Central .....561-355-2418  
South.....561-274-1500  
West .....561-996-4871

Professional Probation  
Services (County).....561-381-9072

State Probation Dept. (DOC) .....561-837-5175

State Attorney's DOVE Unit .....561-355-7433

State Attorney's Office.....561-355-7100

Victim Compensation.....1-800-226-6667

VINE (Inmate Release Notification) ..877-846-3435

## COUNSELING AND SUPPORT GROUPS

CARP/PATH (Substance Abuse).....561-844-6400

Center for Info. & Crisis Svs .....211 OR  
.....1-866-882-2991

Compass House (LGBT).....561-533-9699

Foundcare .....561-472-2466

Drug Abuse Foundation .....561-732-0800

Family Health Counseling Center.....561-433-0123

Families First.....561-721-2887

Farmworker Coordinating Council  
Lake Worth .....561-533-7227  
Belle Glade.....561-992-0603

Jerome Golden Center for Behavior Health  
(45th Street Mental Health Center).561-383-8000

So. Co. Mental Health Center ..737-8400/495-0522

Women in Transition -YWCA.....561-640-9844

## SHELTERS

AVDA (Southern PB Co.).....561-265-2900

YWCA Harmony House (WPB).....800-973-YWCA  
800-973-9922

## FAMILY AND CHILDREN SERVICES

AAA-Area Agency on Aging.....561-684-5885

Center for Family Services .....561-616-1222

Children's Healing Institute .....561-687-8115

Children's Home Society of  
South Coastal Florida.....561-868-4300

CILO-Coalition for Independent Living Options  
(Disabilities) .....561-966-4288

Community Partners/  
Parent Child Center.....561-841-3500

Dept. of Children & Family Svc's.....561-837-5078

Gratitude House .....561-833-6826

Guardian ad Litem.....561-355-2773

High Ridge Family Center.....561-625-2540

Hispanic Human Resources .....561-641-7400

Home Safe .....561-433-0060

Homeless Coalition .....561-355-4663

MADD .....561-683-5888

Place of Hope (Foster Care) .....561-483-0962

Safe Harbor.....1-800-433-0010

Safety Net Program.....561-433-0060

The Sen. Philip D. Lewis Center .....561-904-7900

Youth Services .....561-242-5700

## HUMAN TRAFFICKING SERVICES

National Human Trafficking Hotline..888-373-7888

Victim Services - SART Center.....561-625-2568

Catholic Charities - Palm Beach .....561-345-2008



The Department of Children & Families  
has designated the following domestic violence centers,  
from which you may receive service:

**YWCA DOMESTIC VIOLENCE SHELTER  
HARMONY HOUSE**

2200 N. Florida Mango Rd., Suite 102  
West Palm Beach, FL 33409  
**(800) 973-YWCA**

**AID TO VICTIMS OF DOMESTIC ABUSE  
(A.V.D.A.)**

P. O. Box 66713  
Delray Beach, Florida 33447-0667  
**(561) 265-2900**

If you need assistance with crisis counseling, court  
advocacy, or criminal justice system information, please call  
a counselor at the nearest location.

**PALM BEACH COUNTY VICTIM SERVICES**

**NORTH COUNTY**

3188 PGA Blvd.  
Palm Beach Gardens, FL 33410  
**(561) 625-2568**

**CENTRAL COUNTY**

205 North Dixie Hwy. - 5th Floor, Rm. 5.1100  
West Palm Beach, FL 33401  
**(561) 355-2418**  
**TTY (561) 355-1772**

**SOUTH COUNTY COURT HOUSE**

200 West Atlantic Ave., Suite 120  
Delray Beach, Florida 33444  
**(561) 274-1500**

**WEST COUNTY**

**GLADES OFFICE BUILDING**

2976 State Road #15, 2nd Floor  
Belle Glade, Florida 33430  
**(561) 996-4871**

**RAPE CRISIS/VIOLENT CRIME RESPONSE HOTLINE**

**(561) 833-7273**  
**TOLL FREE: (866) 891-7273**

# THE CYCLE THEORY OF DOMESTIC VIOLENCE

by Lenore Walker

## TENSION BUILDING STAGE

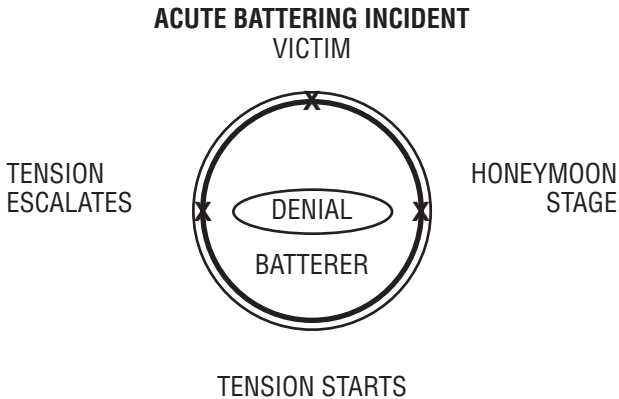
- A. Tension increases during arguments about money, work, children and daily activities. Name calling, hostility and friction escalate.
- B. Victims may try to control the abuse by various coping techniques such as avoidance, appeasing or "giving in."

## ACUTE BATTERING INCIDENT

- A. Physical battery can be caused by anything and is unpredictable.
- B. Battery can start with pushing, hitting and shoving, and may progress to more serious bodily harm, including murder.

## HONEYMOON STAGE

- A. Often batterers fear that their partners will leave them so they may apologize, promise to change, beg for forgiveness and vow to change their behavior.
- B. Victims and batterers often minimize the seriousness of the injuries and the intensity of the abusive behavior.



**ADDITIONAL NOTES:** \_\_\_\_\_

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In other areas of the state, contact the domestic violence center nearest you from the below list.

## FLORIDA DOMESTIC VIOLENCE CENTERS

<b>City</b>	<b>Center</b>	<b>Crisis Line</b>
Bradenton	Hope Family Services .....	941/755-6805
Brooksville	Dawn Center of Hernando County .....	352/799-0657
Bunnell	Family Life Center .....	386/437-3505
Clearwater	Haven Domestic Violence Center .....	727/442-4128
Cocoa	Salvation Army D.V. Shelter .....	321/631-2764
Dade	City Sunrise of Pasco County, Inc.....	352/521-3120
Daytona Bch	Domestic Abuse Council, Inc. ....	386/255-2102
Delray Bch	Aid to Victims of Dom. Abuse.....	561/265-2900
Ft. Myers	Abuse Counsel and Treatment .....	239/939-3112
Ft. Lauderdale	Women in Distress of Broward.....	954/761-1133
Ft. Pierce	SafeSpace Dom. Vio. Services .....	772/464-4555
Ft. Walton Bch	Shelter House, Inc. ....	850/863-4777
Gainesville	Peaceful Paths .....	352/377-8255
Homestead	Advocates for Victims/Safe Space South.....	305/245-5011
Hudson	Salvation Army .....	727/856-5797
Inverness	Citrus County Abuse Shelter .....	352/344-8111
Jacksonville	Hubbard House, Inc. ....	904/354-3114
Kissimmee	Help Now of Osceola County. ....	407/847-8562
Lake City	Another Way .....	866/875-7983
Lakeland	Peace River Center .....	863/413-2707
Leesburg	Haven of Lake/Sumter .....	352/753-5800
Key West	Domestic Abuse Shelter.....	305/743-4440
Miami	Metro Dade Adv. Victims. ....	305/758-2546
Naples	Shelter for Abused Women .....	239/775-1101
Ocala	Creative Services .....	352/622-5919
Okeechobee	Martha's House .....	863/763-0202
Orange Park	Quigley House .....	904/284-0061
Orlando	Harbor House.....	407/886-2856
Orlando	Women's Res. & Counseling .....	407/426-1250
Panama City	Salvation Army .....	850/763-0706
Pensacola	Favorhouse .....	850/994-3560
Punta Gorda	C.A.R.E .....	941/627-6000
Sarasota	SPARCC .....	941/365-1976
St. Petersburg	CASA .....	727/895-4912
Stuart	SafeSpace .....	772/288-7023
Tallahassee	Refuge House .....	850/681-2111
Tampa	Spring of Tampa Bay.....	813/247-7233
Vero Beach	Safe Space .....	772/569-7233
West Palm Bch	YWCA Harmony House .....	561/640-9844

**FLORIDA DOMESTIC VIOLENCE HOTLINE  
1-800-500-1119**

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PLEASE TEAR HERE

**PALM BEACH COUNTY SHERIFF'S OFFICE  
STATE OF FLORIDA COUNTY OF PALM BEACH**

On \_\_\_\_\_, 20\_\_\_\_, I, \_\_\_\_\_, (PRINT VICTIM'S NAME)  
(DATE)

have received a copy of the **VICTIM'S RIGHTS BROCHURE** **PBSO CASE NUMBER** \_\_\_\_\_

Signature of Victim

D/S Signature

I.D. Number

- Yes** - As a victim of harassment (FSS 784.048(2)), sexual battery, aggravated child abuse, domestic violence, aggravated stalking (FSS 784.048 (3)(4)), or aggravated battery (FSS 784.045), I do hereby request that my home and employment telephone number, home and employment address, and personal assets be redacted from my records requested pursuant to public records request for a period of five (5) years from the date noted on this form.
- Yes** - I request Confidentiality pursuant to Marsy's Law, FL Constitution, Article 1, §16(b) as provided below:  
As a victim, I have the right under the Florida Constitution to prevent the disclosure of certain information or records that could be used to locate or harass me or my family, or which could disclose confidential or privileged information about me. I do hereby request that the email address, phone number, and work and business addresses of me and my family be redacted from my records, if my records are requested pursuant to a public records request.

**LAW ENFORCEMENT OFFICERS:  
FILL OUT ALL INFORMATION  
ON REVERSE SIDE;  
IF 1 OR 2 CHECKED BY VICTIM,  
TEAR OFF AND PROVIDE A COPY  
WITH BOOKING DOCUMENTS AND  
**SEND ORIGINAL**  
TO CENTRAL RECORDS**