

# Breaking Free From Domestic Violence

## DOMESTIC VIOLENCE IS A CRIME

Domestic violence is: any felony, battery, assault, criminal damage to property, unlawful restraint, or criminal trespass between past or present spouses, parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household.

## SAFETY FIRST

### MAKE A SAFETY PLAN

- Plan how to get out of your house safely.
- Find a safe space to stay.
- Have a friend hold money/clothes for you.
- Teach your children to call 911.
- Ask your neighbors to call the police if they hear violent arguments.
- Know where important documents are so you can take them with you.
- When violence occurs, call the police.
- **Make sure they make a report.**



Write down the case number and names of the officers. The police may arrest your abuser. If so, use this time to get you and your children to a safe place.


## To find the nearest shelter call:

National Domestic Violence Hotline  
1-800-799-7233

AL Statewide Domestic Violence Hotline  
1-800-650-6522

### REMEMBER

### If you decide to leave - BE CAREFUL.

It is a dangerous time. Take action to protect yourself by doing things like  screening your calls, changing the locks on your home, avoiding being alone, notifying schools and contacts, and varying your routine.

## MEDICAL ATTENTION

See a doctor if you have any injuries. Tell them how you were injured. Take pictures of your injuries as bruises may not show for several days. Ask for copies of your medical record.

## LEGAL ACTION

You have two choices: civil or criminal. You can use both at the same time.

## CIVIL ACTION

A Protection from Abuse Order (PFA) orders your abuser to stay away from you. It can also decide on housing, custody, visitation, child support, spousal support, and personal property. PFAs can last up to one year or even permanently.

## STEPS YOU CAN TAKE

- It is free to file a PFA. There will be a hearing where both sides can present evidence.
- Violation of a Protective Order can be a felony or a misdemeanor.
- You can choose to file for divorce and request a restraining order.

### CRIMINAL ACTION

If the police have charged your abuser, then you must appear at the trial. If the police did not charge your abuser, you can swear out a warrant in the county where the abuse happened. There may be a fee to do this; ask if it can be waived. After arrest, your abuser may get out on bond.

### FINANCIAL ASSISTANCE

Money is often the biggest problem for women leaving violent homes. You should look into the following:

**Child Support** - This can be ordered by the court. You can go to the office of Child Support Enforcement and ask them to help you get child support. There is a fee if you are not on TANF.

**TANF** - You may be eligible for Temporary Assistance to Needy Families if you have children. Check with your local DHR office. As a victim of abuse, you may be excused from certain requirements.



**Emergency Shelter** – Family violence shelters may be able to provide temporary shelter for you and your children. Call 1-800-799-SAFE.

**Food Stamps** – You may be eligible for food stamps whether or not you have children. Check with the local DHR office.

**Medical Assistance** – Check your eligibility through the local DHR. If you earn too much then your children may be eligible for ALL Kids.

**Public Housing** – If you have been forced out of your home because of family violence you may qualify for emergency consideration.

## COUNSELING

Domestic violence programs often offer support groups and counseling.

**To find local resources, visit:**  
[thehotline.org/get-help/local-resources](http://thehotline.org/get-help/local-resources)

## OTHER INFORMATION

Brochures and information on domestic violence, divorce, public benefits, child custody, child support, and landlord-tenant law and consumer rights are available through your local LSA office and at [AlabamaLegalHelp.org](http://AlabamaLegalHelp.org).

This brochure gives you general information only. Please see a lawyer to discuss your individual case. Call Legal Services Alabama to see if we can help you.



JUSTICE FAIRNESS HOPE  
**Legal Services  
Alabama**

**CALL TOLL-FREE**

**866-456-4995**  
**English**

**888-835-3505**  
**Español**

OR

**APPLY ONLINE**

**LEGALSERVICESALABAMA.ORG**

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for Equal Justice  
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