

**Are you in an unhealthy relationship?**

Have you thought about asking  
for help for your family, but were  
afraid of the consequences?

**YOU ARE NOT ALONE!**

There is a strong community  
that can help your family.

Center for Domestic Peace Women's 24-hour Hotline: 415-824-8818 (English)

415-824-3456 (Spanish)

Center for Domestic Peace Men's 24-hour Hotline: 415-824-1879



In this pamphlet,  
there is information  
about:

- Your rights
- Domestic violence laws
- Rights of immigrants who  
are victims of abuse
- Resources to help you protect  
yourself and your family

For more information or to volunteer: 415-457-3464

## Are you in an abusive relationship?



### Has your partner or ex-partner ever...

- Slapped, hit or shoved you?
- Held you down or shaken you?
- Locked you out of the house?
- Thrown, broken, or burned things?
- Acted very jealous, accused you of having an affair or dressing to attract a new partner?
- Told you that you were crazy?
- Made all the decisions, treated you like a servant or acted like the master of the castle?
- Isolated you by controlling what you do, who you see and talk to, or where you go?
- Used your children to make you feel guilty or used visitation as a way to harass you?
- Tried to keep you from getting or keeping a job?
- Given you an allowance instead of sharing money?
- Not allowed you to handle your own money, open a bank account, or apply for credit cards?
- Threatened to hurt or kill you if you didn't follow his or her orders?
- Threatened to call Child Protective Services (CPS) and report you as an unfit parent?
- Threatened to call Immigration and have them deport you?
- Pressured or forced you to have sex when you didn't want to?

Many of these behaviors are illegal. If you want it to stop, you can get help. You don't need to struggle or suffer alone.

## HAVE YOU THOUGHT ABOUT CALLING THE POLICE, BUT...

- You still love your partner!
- You don't want to get your partner in trouble!
- You don't want your partner to go to court or to jail; you just want your partner to get counseling!
- Your children need both parents!
- Your partner says he/she will call Immigration and have you deported if you ask for help!
- Your partner says he/she will call Child Protective Services (CPS), and they'll take your children away from you!
- Your partner says that he or she will kill, kidnap, or hurt you or the children!

If you've answered **YES** to any of these questions, this pamphlet is for you.

## YOU DESERVE HELP! YOU CAN GET HELP!

Many people living with domestic violence feel ashamed and unworthy of asking for help. Your partner's behavior is unacceptable, and maybe even criminal. You deserve to be free of the violence and start a peaceful life. Few people leave domestic violence without help because abusive people establish control over so many parts of their partners' lives.

## DON'T BE AFRAID TO ASK FOR HELP.

### IN THIS PAMPHLET, WE OFFER INFORMATION ABOUT:

- Personal Bill of Rights ..... page 4
- Your Legal Rights ..... page 4
- Domestic Violence Laws ..... page 5
- The Rights of Immigrants Who Are Victims of Domestic Violence ..... page 6
- The Right to Good Translation for Victims Who Don't Speak English ..... page 7
- Resources to Help You Protect Yourself and Your Family ..... page 11
  - Center for Domestic Peace ..... page 11
  - Classes for People Who Want to Stop their Violence ..... page 12
  - Police ..... page 12
  - Other Agencies that Can Help You ..... page 15
  - Information about How to Protect Yourself with Restraining Orders ..... page 16

## Personal Bill of Rights



### YOU HAVE THE RIGHT TO:

- Be treated with respect by your partner
- Not take responsibility for your partner's abusive behavior
- Get angry or say "NO!" but not to threaten or use force (except in self-defense) against your partner
- Make mistakes, change your mind
- Have your own feelings, opinions, and convictions, and express them freely
- Have your needs be as important as your partner's needs
- Spend time with your family and friends without being accused or pressured by your partner
- Negotiate for change in the relationship
- Ask for help or emotional support
- Protest unfair treatment or criticism

## Your Legal Rights

If you live in the United States (married or single, immigrant or not, in the U.S. legally or not) you have many legal rights. One of your rights is the right to be protected by U.S. laws if you are a victim of domestic violence. Many abusers will lie to you about your rights, especially if you are an immigrant in the United States. They want you to believe that you don't have rights, and that you can get in trouble for reporting their violence. You are protected against domestic violence by U.S. and state laws.

## YOU HAVE THE RIGHT TO:

- Call the police and other support agencies
- Hide yourself and your children for protection from your violent partner, even if your partner is their parent
- Refuse sexual activity at any time
- Make decisions about your reproductive health without your partner's permission
- Live free of violence and threats
- Equal protection of the laws against domestic violence, even if in some way you have broken a law, such as using drugs, driving without a license, or entering the country illegally

## DOMESTIC VIOLENCE LAWS

Domestic violence is any abuse one person commits against another person who is their current or former spouse, current or former dating partner, co-parent of children, current or former co-habitant, or current or former fiancé(s).

The legal definition of abuse is: causing (or attempting to cause) bodily damage (intentionally or recklessly) or giving a believable impression that bodily damage will happen (including threats). This means that if your partner has pushed you, hit you, raped you, or caused any injury, your partner has committed a crime. If your partner has made you think that he or she will injure you, they have also committed a crime. Vandalism, kidnapping, holding you against your will, and violating restraining orders are also illegal. Other types of abuse aren't considered criminal but are still violent. These include verbal and emotional abuse, name-calling, and financial abuse (restricting access to money, credit cards, ATM, etc.).



## THE RIGHTS OF IMMIGRANTS WHO ARE VICTIMS OF DOMESTIC VIOLENCE



*"Many people don't call the police because they are afraid [because they are undocumented]. But it's not true. They didn't deport me. They helped me."*

Everything in this pamphlet can be useful and relevant to you even if you are an undocumented immigrant in the U.S. In this country, domestic violence or child abuse is a crime, even if it's not a crime in your country of origin. If you are an undocumented immigrant and are a victim of crime in this country, you have the same rights as a U.S. citizen to access services for crime victims.

This means that if you are confronting domestic violence and you want help, you will not be deported just because you called the authorities or made a police report. You cannot be deported for trying to get a restraining order or testifying in court.

You cannot be deported for asking for help from shelters or a crisis line.

Also, if your spouse is a United States resident or citizen and you are a victim of abuse, you may be eligible for U.S. residency without your abusive partner through VAWA (Violence Against Women Act). Even if you aren't married to a United States resident or citizen, but you have worked with the police or the DA, you might be eligible for a U-Visa. Speak with an immigration attorney to explore your options.

## THE RIGHT TO GOOD TRANSLATION SERVICES FOR VICTIMS WHO DON'T SPEAK ENGLISH

The courts have decided that public agencies must provide adequate translation for people who don't speak English. When you request services from public agencies like the police and courts, you can request an interpreter. Good translation services are especially important for people reporting domestic violence. If the police officer can't understand you, it is harder for the officer to protect you and your family. Also, your statements to the police are the central evidence in a criminal case. For this reason, **the police should not use your children, family members, or neighbors to translate the conversation between you and the police.** If you call 911 and don't speak English, tell the operator what language you speak. All 911 operators have immediate telephone access to multi-lingual interpreters.

Although you have the right to good translation service through the police, not all police officers will offer this to you. The police have access to the same telephone interpreter service as the 911 operators. If the officer does not get you a professional interpreter, you can write a statement in your own language to add to the police report. You can also call 911 again and ask that your conversation with the police be interpreted.



*"When the officer arrived, he called 911 to get someone who spoke Spanish. [I was] a little afraid, but he was kind."*

# Have You Thought about Calling the Police but...

## ...You still love your partner?

Many people love the partners who abuse them. It's possible to love the abuser and, at the same time, insist that the violence stop. Your partner is not likely to stop on his or her own. You've tried hard to make your relationship work, and your partner has promised to do the same. But you've seen that your partner hasn't followed through with his or her promise. Even if you don't love your abuser anymore, this is nothing to be ashamed of either.

## ...You don't want to get your partner in trouble?

You may be trying to keep your abusive partner from getting into trouble. This can put you and your children in more danger, and lead to more trouble for your abusive partner. Perhaps you haven't told the police everything, or you haven't gone to the police, but just got a restraining order, or tried to leave without any protection. This approach is dangerous, because an abusive person is willing to use even more violence in order to re-establish his or her control.

Consider a different strategy to protect yourself: make a police report, get a restraining order, get custody of the children, make your partner leave the home, call the police again if your partner calls you to say he or she is sorry. Don't drop or modify the restraining order. Follow through with the criminal process, even if you have hopes of getting back together with your partner in the future.

First, this strategy gives you time to think without worrying that he or she will come after you. Second, it focuses the abuser on their legal case, and gives your partner the chance to think about their illegal and immoral actions.

There are no guarantees about which approach will work best for you. Even if you hope to get back together, it's important for your partner to recognize that domestic violence is an unacceptable crime.



*"It takes a long time to make decisions for yourself and know they are the right ones. There's a light at the end of the tunnel. In the end, you'll get there."*



## Have You Thought about Calling the Police but...(continued)

### **...You don't want your partner to go to court or jail, you just want him or her to get counseling?**

In general, the courts can only order someone to get counseling if they have been found guilty of domestic violence. If it's your abusive partner's first offense, it's possible that the court will order them into counseling and not to jail.

### **...Your children need both parents?**

You may be concerned about your children's relationship with their abusive parent. You may think that when you call the police or get a restraining order, your children will have to be cut off from their abusive parent. However, the courts rarely cut off a parent from their children completely.

Remember, you are the children's parent and they depend on you for their security. When children see their parent living in fear and humiliation, they will feel the same emotions. Even when the abuser doesn't directly abuse the children, domestic violence seriously harms them. Research shows that children of all ages are aware of the violence. The younger the child is, the more serious the effect. Children who live in a home with domestic violence frequently have learning, emotional, and behavioral problems, which can continue throughout their adult lives.

On the other hand, when children see their parent receiving help and getting to safety, they are not only rescued from immediate danger, but also learn they have a right to stop abuse in their own lives.

As you start to break free of domestic violence, tell the children that separation doesn't mean that the abuser doesn't love them. Tell them directly that no one should tolerate abuse. Some of the abusive parent's behavior was harmful and criminal, so the abusive parent needs some time away. Tell the children it wasn't their fault, it's okay to be sad, and it's okay to miss, love, or be angry at their abusive parent.



Have You Thought about Calling the Police but...(continued)

**...Your partner says he or she will call Immigration and have you deported if you try to get help?**

It's very common for violent partners to make this kind of threat if you are an immigrant. However, it's almost impossible for these threats to be carried out. As mentioned earlier, you can't be deported for making a police report, requesting a restraining order, or testifying in court.

On the other hand, if you are depending on your spouse to apply for your green card and your partner is abusing you, remember that, according to U.S. law, some immigrants who are victims of abuse are eligible for residency without the support of the abusive spouse. (See "The Rights of Immigrants Who Are Victims of Domestic Violence" on page 6.)

**...Your partner says he or she will call CPS and they will take your children away from you?**

Anyone can call CPS at any time. CPS will open an investigation, but that doesn't mean your children will automatically be taken away from you. If you call the police and make reports when your partner abuses you or the children, you will strengthen your credibility with the authorities. Later, if your abusive partner calls CPS, the investigation will reflect your previous calls to the police. CPS will know that your partner may be using them as part of his or her abuse against you.

**...Your partner says that he or she will kill, kidnap, or hurt you or the children?**

Take this dangerous threat seriously. Abusive people might carry out this type of threat. But also think about how dangerous it is to live with a person who could seriously hurt you and your children. If you don't call the police, you will be the only barrier between your violent partner and your children. To better protect your children, consider combining your defense with the protection you can get from Center for Domestic Peace, the police, the District Attorney (DA), and others. **You don't have to protect your family by yourself.**



*"The officer was respectful and told me often that I shouldn't be afraid because they were there to help people who had been abused, and that they don't deport victims."*

# Resources to Help You Protect Yourself and Your Family

## CENTER FOR DOMESTIC PEACE (C4DP)

**Center for Domestic Peace Women's 24-hour Hotline:**

415-924-6616 (English)

415-924-3456 (Spanish)

**Center for Domestic Peace Men's 24-hour Hotline:**

415-924-1070



Center for Domestic Peace (C4DP) offers support to people confronting domestic violence and people at risk for violence. If you call the C4DP hotline, you can access advocates, support groups, and classes for abusers to stop their violence (see p. 12). C4DP provides shelter and transitional housing for women and children.

The C4DP hotline is available in English and Spanish, 24 hours a day. The hotline staff offers practical support to help you make decisions about personal security, healthcare, shelters, legal issues, and other concerns.

C4DP advocates can accompany you if you need to appear in court. After police write domestic violence reports, an advocate calls the individuals listed as victims in the report to discuss their options and rights.

*"They helped me to see that I actually am a human being who can make her own decisions. I'm not stupid, lazy, or dumb, even though my children's father says I am? After he hit me, I just wanted to crawl under a rock and die. But now I see my son sleeping peacefully and I realize it was all worth it."*

*"The staff made me feel extremely comfortable. The last time he beat me up, I lost my baby and I tried to kill myself. I thought I was the problem. If they hadn't been there for me, I wouldn't be here today."*

## **CLASSES FOR PEOPLE WHO WANT TO STOP THEIR VIOLENCE**

**(Center for Domestic Peace) MANKIND** 415-924-1070

**(Center for Domestic Peace) WOMANKIND** 415-457-2464 x 54



C4DP supports men and women in ending their violence. C4DP has a 24-hour men's hotline managed by trained male volunteer program graduates to help deter men from engaging in violence. The hotline volunteers provide consultation and make referrals to classes (and other agencies) that offer men concrete ways to end their violence. C4DP also offers classes for women who want to stop their violence. Marin County Probation has certified these programs as part of the standard domestic violence probation requirement. Men and women also self-refer to enhance their relationships with their partners, family, community, and themselves.

## **POLICE (911)**

**What are the benefits of calling the police?**  
**(Help that only the police can provide)**

The police are the only people in this society who have the authority to enter your home (or wherever you are in danger) and stop the violence immediately.

## Benefits of Calling the Police (continued)

### The police can also:

- Remove the abuser from the home
- Give you an Emergency Protective Order to give you time to think about your options (see "Emergency Protective Orders" on pg. 16)
- Order the abuser to stay away from you and the children
- Give you temporary custody of your children
- Take weapons away from the abuser
- Make a police report, which starts a criminal case

### Why it's useful to have a police report

The domestic violence police report is the most crucial document you can have to stop the violence. It makes your story credible, and it can help you avoid having to repeat your story.

### If you are facing domestic violence, you can use a copy of the police report to:

- Gain custody of your children in Family Court
- Strengthen a request for a restraining order
- Support an immigration residency application or work permit  
(See "The Rights of Immigrant Who Are Victims of Victims" on pg. 6)
- Provide support in housing disputes
- Explain your situation to your employer or your children's school
- Get government compensation as a victim of crime



*"Don't be afraid, because the police are there to defend you and not to accuse you. We've only got one life to live and no one has a right to kill you."*



## **What you should know to get the best protection from police**

When you call 911, you have the right to an interpreter (see p. 7). When you speak with the dispatcher, you can explain as much as possible about the situation. Usually, the operator will ask what the abuser has said and done. Try to stay on the line with 911 until the police arrive.

### **What to tell the police**

Tell the police about the abuser's criminal behavior towards you. Examples of criminal acts are physical and sexual violence, threats of violence, vandalism, kidnapping, holding you against your will, and violating restraining orders.

Your experience of domestic violence probably includes much more than these criminal acts, such as the abuser's insults, foul language in front of the children, emotional betrayals, and more. But these things are not criminal. It can be hard to separate the criminal from the non-criminal acts, because it's all painful for you. But when you are talking with police, remember that the police are supposed to protect crime victims.

### **Things you can tell the police**

- Details of the most recent incident and any evidence or witnesses you can think of
- Specific threats the abuser has made to you verbally or in writing
- If you fear for your or the children's safety, tell the officer, and explain why you are afraid
- Show the officer all of your injuries
- Weapons the abuser has used or has access to
- If the abuser has a criminal history
- If the abuser has ever forced you to have sex
- If the abuser has ever hurt the children

If the officer has left, and you remember important information for the officer's report, you can write out a statement, take it to the police station, and ask the receptionist to add the statement to the report on your case.

*"I told (the police officer) that I felt very nervous...he gave me a restraining order and...the number for a C4DP advocate."*

*"Looking back, I wish I'd told the police all the things that (my partner) did that were illegal instead of focusing on how he was a liar and a cheater."*

## OTHER AGENCIES THAT CAN HELP YOU

### **District Attorney's Office (DA) and Victim/Witness Assistance: 415-499-6450**

After the police write the report, the District Attorney's office decides whether to file formal charges against your partner. If the District Attorney decides not to file charges against the abuser, this is usually the end of the criminal case. If the District Attorney does file charges, you can find out more details about the case by calling the DA's office or asking a C4DP advocate to call for you. In addition, the State of California has funds to help crime victims by paying for counseling, medical expenses, emergency needs related to the crime, and for wages you may have lost as a result of the crime. Ask your police department or domestic violence hotline counselor for more details.

### **Rape Crisis Center: 1-800-670-7273**

Although sexual abuse and rape are common among people facing domestic violence, many find it very difficult to talk about this aspect of abuse. You may feel more comfortable talking to an advocate who deals specifically with sexual assault. Rape crisis centers have confidential 24-hour crisis lines, support groups, advocates, and other services. Any exam or treatment you receive as a result of reporting sexual assault is free of charge.





## INFORMATION ABOUT HOW TO PROTECT YOURSELF AND YOUR FAMILY WITH RESTRAINING ORDERS

### Emergency Protective Orders (EPOs)

You have the right to request an Emergency Protective Order (EPO) from the police. An EPO is a legal document prohibiting your abuser from contacting you in any way, whether or not your abuser was arrested. If the police don't offer you an EPO, you can visit the police station later to get one. An EPO is available 24 hours a day and is good for 5 to 7 days, and can include custody orders if you have children. Only a police officer (with the approval of a judge) can obtain an EPO, so you will need to tell the officer what the abuser did to you and why you are afraid. The EPO is designed to provide you with immediate legal protection until you are able to obtain a Temporary Restraining Order (TRO) from the courts.

*"I didn't actually know the choices I had. After talking to the authorities and C4DP, I could understand. You've got to do what's best for you. Not being abused is what's best for you and your family."*



## **Temporary Restraining Orders (TROs)**

**FAMILY AND CHILDREN'S LAW CENTER:** 415-492-9230

**LEGAL AID OF MARIN:** 415-492-0230

**LEGAL SELF-HELP CENTER OF MARIN:** 415-492-1111

You have the right to go to the Superior Court and request an order that will:

- Restrain your abuser from abusing you and other family members
- Direct your abuser to leave the household (The abuser can be ordered to move out while police stand by.)
- Prevent your abuser from getting near you or your residence, school, or workplace
- Prohibit your abuser from communicating with you directly, in writing, or through other people
- Determine custody of the children, visitation, and child support
- Eliminate many ways for your abuser to kidnap the children
- Prevent your abuser from manipulating you by using Immigration
- Direct the abuser to make reimbursements for damages related to the abuse
- Order your abuser to attend classes to learn how to stop their violence

The Temporary Restraining Order lasts between 2 and 3 weeks, until the day of the hearing, when a judge can turn it into a "permanent" restraining order that lasts up to 5 years.



# HOW TO CONTACT CENTER FOR DOMESTIC PEACE (C4DP)



734 A Street, San Rafael, CA 94901  
[www.centerfordomesticpeace.org](http://www.centerfordomesticpeace.org)

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| <b>C4DP WOMEN'S 24-HOUR HOTLINE:</b>         | 415-924-6616 (English)<br>415-924-3456 (Spanish) |
| <b>C4DP MEN'S 24-HOUR HOTLINE:</b>           | 415-924-1070                                     |
| <b>For more information or to volunteer:</b> | 415-457-2464                                     |

If someone in another community needs help because of domestic violence, please contact the National Domestic Violence Hotline at: **800-799-SAFE (7233)** or **(TTY) 800-787-3224**.

Many thanks to the members of "Voices of Change," who dedicated many hours of their volunteer time to crafting this brochure and to the survivors of domestic violence who bravely shared their stories with us.

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