

**Handbook and Resource Guide  
for Non-Residential Clients**



24 – Hour Crisis Hotline: (706) 632-8400 **OR** 1 (800)-33HAVEN  
Office: (706) 632-9024

# Frequently asked questions about a Temporary Protective Order (TPO)

- **What is a TPO?**

Temporary Protective Order (TPO) is a court order to help protect you from someone who is abusing, threatening or harassing you. The order will require the abuser to stay away from you, your home and work. The abuser will be prohibited from contacting you in any way. The court can also order the abuser to stay away from your children if the court feels they are at risk. The court can also order other kinds of relief in the TPO, such as temporary custody, support and possession of vehicles.

Getting a TPO does not mean the abuser goes to jail. The TPO makes it easier for the police to arrest the abuser from coming near you later, even if the abuser does not hurt you again.

- **What is Family Violence?**

The Georgia Code 19-13-1 defines family violence as certain kinds of crimes between people who have certain relationships to each other. The kinds of crime include battery, assault, and stalking, criminal damage to property, unlawful restraint, criminal trespass and any felony. The people must be connected to each other as past or present spouses, parents of the same child, parents and children, stepparents and stepchildren or other persons living or formerly living in the same household. If the crime is stalking, the people do not have to have any relationship or connection to each other.

- **How do I get a Temporary Protective Order?**

There must be a recent threat or act of physical violence or stalking. The temporary protective order must be filed in the county where the abuser resides. If the abuser lives out of state, the TPO may be file in the Georgia County where you live or where the violence occurred.

You may come to the NGMCN office and ask to speak to an advocate who will support you in the process. The advocate will assist you in filling out all the information needed and will present the information to the Judge, who will determine whether to sign the TPO. IF the Judge grants you a TPO, the advocate will pick up the order as well as file it at the Clerk of Court's office. The Sheriff's Office will then serve the abuser with a copy of the order. A hearing will be held within 30 days so the Judge can hear both sides. You must attend the hearing or your order will expire (come to an end).

At the hearing, the Judge will decide if the TPO should be extended for up to 12 months. The court can also decide other issues such as temporary custody and support for your children and/or you.

If there is a new threat of violence or other good reason, you can go back to court before the TPO expires and ask that the order be extended or made permanent.

Family violence can cause many complex problems such as legal, physical, emotional and financial issues. TPOs can help with some of these problems, but not all. ***Please contact an advocate at NGMCN should you need additional assistance such as counseling or support.***

### **The following is a list of necessary terms to obtain a TPO:**

- There has been a recent act of violence, stalking, or harassment – generally within the last 30 days
- The victim must be in “reasonable fear of their safety”, must feel that they are placed in immediate physical danger, and/or fear for the safety of their loved ones.
- The victim must provide detailed and clear accounts of all incidents that occurred including specific dates, times, and actions that took place.
- If police reports or arrest were made regarding the event, the petitioner should attach reports to the petition.
- You must provide identifying details about the respondent including where they currently reside.
- In the order, you may request certain stipulations including but not limited to: how far, in yards, the respondent must stay away, if the respondent should receive special classes (i.e. domestic abuse, substance abuse, mental health), child support, etc.
- The respondent and petitioner must have one of the following relationships: Present or past spouses, Parents of the same children, Parents and child/ren, Person who used to live in the same household, Persons currently living in the same household, Foster parents and foster child, Stepparent and stepchild. In situations where the previously mentioned relationships are not met, such as boyfriends and girlfriends that have not lived together may qualify for a stalking order.

### **What a TPO can provide:**

- For the respondent to have no contact and for them to refrain from stalking and/or harassing.
- Can grant petitioner possession of the current residence and force the respondent to leave.
- Can grant the respondent to provide alternative residence for the petitioner and/or minor children.
- May allow for eviction of one party or permit for petitioner to retrieve possessions from the residence.
- May allow for the protection of property by either party and may allow for either party to maintain/obtain that property from the residence.
- Can award temporary custody of minor children and establish temporary visitation rights if approved.
- May allow for the courts to establish marital support or child support under law.

**\*\*\*Petitioner is the person filing for the TPO, and Respondent is the person being served with the TPO\*\*\***



## What is Domestic Violence?

Domestic violence is the willful intimidation, physical assault, battery, sexual assault, and/or other **abusive behavior** as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It includes physical violence, sexual violence, psychological violence, and emotional abuse. The frequency and severity of domestic violence can vary dramatically; however, the one constant component of domestic violence is one partner's consistent efforts to maintain **power and control** over the other.

Domestic violence is an epidemic affecting individuals in every community, regardless of age, economic status, sexual orientation, gender, race, religion, or nationality. It is often accompanied by emotionally abusive and controlling behavior that is only a fraction of a systematic pattern of dominance and control. Domestic violence can result in physical injury, psychological trauma, and in severe cases, even death. The devastating physical, emotional, and psychological consequences of domestic violence can cross generations and last a lifetime.

It is not always easy to determine in the early stages of a relationship if one person will become abusive. Domestic violence intensifies over time. Abusers may often seem wonderful and perfect initially, but gradually become more aggressive and controlling as the relationship continues. Abuse may begin with behaviors that may easily be dismissed or downplayed such as name-calling, threats, possessiveness, or distrust. Abusers may apologize profusely for their actions or try to convince the person they are abusing that they do these things out of love or care. However, violence and control always intensifies over time with an abuser, despite the apologies. What may start out as something that was first believed to be harmless (e.g., wanting the victim to spend all their time only with them because they love them so much) escalates into extreme control and abuse (e.g., threatening to kill or hurt the victim or others if they speak to family, friends, etc.). Some examples of abusive tendencies include but are not limited to:

- Telling the victim that they can never do anything right
- Showing jealousy of the victim's family and friends and time spent away
- Accusing the victim of cheating
- Keeping or discouraging the victim from seeing friends or family members
- Embarrassing or shaming the victim with put-downs
- Controlling every penny spent in the household
- Taking the victim's money or refusing to give them money for expenses
- Looking at or acting in ways that scare the person they are abusing
- Controlling who the victim sees, where they go, or what they do
- Dictating how the victim dresses, wears their hair, etc.
- Stalking the victim or monitoring their victim's every move (in person or also via the internet and/or other devices such as GPS tracking or the victim's phone)
- Preventing the victim from making their own decisions

- Telling the victim that they are a bad parent or threatening to hurt, kill, or take away their children
- Threatening to hurt or kill the victim's friends, loved ones, or pets
- Intimidating the victim with guns, knives, or other weapons
- Pressuring the victim to have sex when they don't want to or to do things sexually they are not comfortable with
- Forcing sex with others
- Refusing to use protection when having sex or sabotaging birth control
- Pressuring or forcing the victim to use drugs or alcohol
- Preventing the victim from working or attending school, harassing the victim at either, keeping their victim up all night so they perform badly at their job or in school
- Destroying the victim's property

It is important to note that domestic violence does not always manifest as physical abuse. Emotional and psychological abuse can often be just as extreme as physical violence. Lack of physical violence does not mean the abuser is any less dangerous to the victim, nor does it mean the victim is any less trapped by the abuse.

Additionally, domestic violence does not always end when the victim escapes the abuser, tries to terminate the relationship, and/or seeks help. Often, it intensifies because the abuser feels a loss of control over the victim. Abusers frequently continue to stalk, harass, threaten, and try to control the victim after the victim escapes. In fact, the victim is often in the most danger directly following the escape of the relationship or when they seek help: 1/5 of homicide victims with restraining orders are murdered within two days of obtaining the order; 1/3 are murdered within the first month.

Unfair blame is frequently put upon the victim of abuse because of assumptions that victims choose to stay in abusive relationships. The truth is, bringing an end to abuse is not a matter of the victim choosing to leave; it is a matter of the victim being able to safely *escape* their abuser, the abuser choosing to stop the abuse, or others (e.g., law enforcement, courts) holding the abuser accountable for the abuse they inflict.

For anonymous, confidential help available 24/7, call the National Domestic Violence Hotline at 1-800-799-7233 (SAFE) or 1-800-787-3224 (TTY) now.

\*\*\*<http://ncadv.org/learn-more/what-is-domestic-violence>

# Types of Abuse

## **Physical Abuse:**

**You may be experiencing physical abuse if your partner has done or repeatedly does any of the following tactics of abuse:**

- Pulling your hair, punching, slapping, kicking, biting or choking you
- Forbidding you from eating or sleeping
- Hurting you with weapons
- Preventing you from calling the police or seeking medical attention
- Harming your children
- Abandoning you in unfamiliar places
- Driving recklessly or dangerously when you are in the car with them
- Forcing you to use drugs or alcohol (especially if you've had a substance abuse problem in the past)

\*\*\*<http://www.thehotline.org/is-this-abuse/abuse-defined/#tab-id-1>

## **Emotional Abuse:**

**You may be in an emotionally abusive relationship if you partner exerts control through:**

- Calling you names, insulting you or continually criticizing you
- Refusing to trust you and acting jealous or possessive
- Trying to isolate you from family or friends
- Monitoring where you go, who you call and who you spend time with
- Demanding to know where you are every minute
- Trapping you in your home or preventing you from leaving
- Using weapons to threaten to hurt you
- Punishing you by withholding affection
- Threatening to hurt you, the children, your family or your pets
- Damaging your property when they're angry (throwing objects, punching walls, kicking doors, etc.)
- Humiliating you in any way
- Blaming you for the abuse
- Gaslighting (Making you question your own sanity)
- Accusing you of cheating and being often jealous of your outside relationships
- Serially cheating on you and then blaming you for his or her behavior
- Cheating on you intentionally to hurt you and then threatening to cheat again
- Cheating to prove that they are more desired, worthy, etc. than you are
- Attempting to control your appearance: what you wear, how much/little makeup you wear, etc.
- Telling you that you will never find anyone better, or that you are lucky to be with a person like them

\*\*\*<http://www.thehotline.org/is-this-abuse/abuse-defined/#tab-id-2>

## **Sexual Abuse and Coercion:**

### **Sexually abusive methods of retaining power and control include an abusive partner:**

- Forcing you to dress in a sexual way
- Insulting you in sexual ways or calls you sexual names
- Forcing or manipulating you into to having sex or performing sexual acts
- Holding you down during sex
- Demanding sex when you're sick, tired or after hurting you
- Hurting you with weapons or objects during sex
- Involving other people in sexual activities with you against your will
- Ignoring your feelings regarding sex
- Forcing you to watch pornography
- Purposefully trying to pass on a sexually transmitted disease to you

### **Sexual coercion**

Sexual coercion lies on the 'continuum' of sexually aggressive behavior. It can vary from being egged on and persuaded, to being forced to have contact. It can be verbal and emotional, in the form of statements that make you feel pressure, guilt, or shame. You can also be made to feel forced through more subtle actions. For example, an abusive partner:

- Making you feel like you owe them — ex. Because you're in a relationship, because you've had sex before, because they spent money on you or bought you a gift
- Giving you drugs and alcohol to "loosen up" your inhibitions
- Playing on the fact that you're in a relationship, saying things such as: "Sex is the way to prove your love for me," "If I don't get sex from you I'll get it somewhere else"
- Reacting negatively with sadness, anger or resentment if you say no or don't immediately agree to something
- Continuing to pressure you after you say no
- Making you feel threatened or afraid of what might happen if you say no
- Trying to normalize their sexual expectations: ex. "I need it, I'm a man"

Even if your partner isn't forcing you to do sexual acts against your will, being made to feel *obligated* is coercion in itself. Dating someone, being in a relationship, or being married never means that you *owe* your partner intimacy of any kind.

\*\*\*<http://www.thehotline.org/is-this-abuse/abuse-defined/#tab-id-3>

## **Financial Abuse:**

### **Economic or financial abuse is when an abusive partner extends their power and control into the area of finances. This abuse can take different forms, including an abusive partner:**

- Giving an allowance and closely watching how you spend it or demanding receipts for purchases
- Placing your paycheck in their bank account and denying you access to it
- Preventing you from viewing or having access to bank accounts
- Forbidding you to work or limiting the hours that you can work
- Maxing out credit cards in your name without permission or not paying the bills on credit cards, which could ruin your credit score

- Stealing money from you or your family and friends
- Using funds from children's savings accounts without your permission
- Living in your home but refusing to work or contribute to the household
- Making you give them your tax returns or confiscating joint tax returns
- Refusing to give you money to pay for necessities/shared expenses like food, clothing, transportation, or medical care and medicine

\*\*\*<http://www.thehotline.org/is-this-abuse/abuse-defined/#tab-id-5>

### **Digital Abuse:**

**Digital abuse is the use of technologies such as texting and social networking to bully, harass, stalk or intimidate a partner. Often this behavior is a form of verbal or emotional abuse perpetrated online. You may be experiencing digital abuse if your partner:**

- Tells you who you can or can't be friends with on Facebook and other sites.
- Sends you negative, insulting or even threatening emails, Facebook messages, tweets, DMs or other messages online.
- Uses sites like Facebook, Twitter, foursquare and others to keep constant tabs on you.
- Puts you down in their status updates.
- Sends you unwanted, explicit pictures and demands you send some in return.
- Pressures you to send explicit video.
- Steals or insists to be given your passwords.
- Constantly texts you and makes you feel like you can't be separated from your phone for fear that you will be punished.
- Looks through your phone frequently, checks up on your pictures, texts and outgoing calls.
- Tags you unkindly in pictures on Instagram, Tumblr, etc.

You never deserve to be mistreated, online or off. Remember:

- Your partner should respect your relationship boundaries.
- It is ok to turn off your phone. You have the right to be alone and spend time with friends and family without your partner getting angry.
- You do not have to text any pictures or statements that you are uncomfortable sending, especially nude or partially nude photos, known as "sexting."
- You lose control of any electronic message once your partner receives it. They may forward it, so don't send anything you fear could be seen by others.
- You do not have to share your passwords with anyone.
- Know your privacy settings. Social networks such as Facebook allow the user to control how their information is shared and who has access to it. These are often customizable and are found in the privacy section of the site. Remember, registering for some applications (apps) require you to change your privacy settings.
- Be mindful when using check-ins like Facebook Places and foursquare. Letting an abusive partner know where you are could be dangerous. Also, always ask your friends if it's ok for you to check them in. You never know if they are trying to keep their location secret.
- You have the right to feel comfortable and safe in your relationship, even online.

\*\*\*<http://www.thehotline.org/is-this-abuse/abuse-defined/#tab-id-6>

For more information, please visit: <http://www.thehotline.org/>

# Why Women Stay in Abusive Relationship

## **Situational Factors:**

- Economic Dependence
- Fear of greater physical harm to themselves and their children if they attempt to leave
- Fear of losing custody of their children
- Lack of alternative housing and job opportunities
- Social isolation resulting in lack of support from family and friends
- Lack of information regarding options and alternatives.
- Fear of involvement of law enforcement and court system
- Culture and religious constraints
- Fear of retaliation

## **Emotional Factors:**

- Fear of loneliness
- Guilt about failure of marriage and family
- Fear that husband/partner is not able to survive alone
- Belief that husband/partner will change
- Uncertainty and fear over making challenging life changes
- Fear of raising children alone, without a father

## **A Battered Women's Bill of Right:**

- She has the right to **NOT** be abused
- She has the right to be angry over past beatings
- She has the right to choose to change the situation
- She has the right to freedom from fear of abuse
- She has the right to request and expect assistance from the police or social agencies
- She has the right to share her feeling and not be isolated from others
- She has the right to be treated as an adult
- She has a right to leave the abusive environment
- She has a right to privacy
- She has the right to express her own thoughts and feelings
- She has the right to develop her individual talents and abilities
- She has a right to legally prosecute the abusing partner
- She has the right to not be perfect

Patricia G. Ball & Elizabeth Wyman

# Safety Planning

## Safety While Living with an Abusive Partner

- Identify your partner's use and level of force so that you can assess the risk of physical danger to you and your children before it occurs.
- Identify safe areas of the house where there are no weapons and there are ways to escape. If arguments occur, try to move to those areas.
- Don't run to where the children are, as your partner may hurt them as well.
- If violence is unavoidable, make yourself a small target. Dive into a corner and curl up into a ball with your face protected and arms around each side of your head, fingers entwined.
- If possible, have a phone accessible at all times and know what numbers to call for help. Know where the nearest public phone is located. Know the phone number to your local shelter. If your life is in danger, call the police.
- Let trusted friends and neighbors know of your situation and develop a plan and visual signal for when you need help.
- Teach your children how to get help. Instruct them not to get involved in the violence between you and your partner. Plan a code word to signal to them that they should get help or leave the house.
- Tell your children that violence is never right, even when someone they love is being violent. Tell them that neither you, nor they, are at fault or are the cause of the violence, and that when anyone is being violent, it is important to stay safe.
- Practice how to get out safely. Practice with your children.
- Plan for what you will do if your children tells your partner of your plan or if your partner otherwise finds out about your plan.
- Keep weapons like guns and knives locked away and as inaccessible as possible.
- Make a habit of backing the car into the driveway and keeping it fueled. Keep the driver's door unlocked and others locked — for a quick escape.
- Try not to wear scarves or long jewelry that could be used to strangle you.
- Create several plausible reasons for leaving the house at different times of the day or night.

\*\*\*<http://www.thehotline.org/help/path-to-safety/#tab-id-1>

## Preparing to Leave

**Because violence could escalate when someone tries to leave, here are some things to keep in mind before you leave:**

- Keep any evidence of physical abuse, such as pictures of injuries.
- Keep a journal of all violent incidences, noting dates, events and threats made, if possible. Keep your journal in a safe place.
- Know where you can go to get help. Tell someone what is happening to you.
- If you are injured, go to a doctor or an emergency room and report what happened to you. Ask that they document your visit.

- Plan with your children and identify a safe place for them, like a room with a lock or a friend's house where they can go for help. Reassure them that their job is to stay safe, not to protect you.
- Contact your local shelter and find out about laws and other resources available to you before you have to use them during a crisis. [WomensLaw.org](http://WomensLaw.org) has state by state legal information.
- Acquire job skills or take courses at a community college as you can.
- Try to set money aside or ask friends or family members to hold money for you.

\*\*\*<http://www.thehotline.org/help/path-to-safety/#tab-id-6>

## **When You Leave**

Make a plan for how and where you will escape quickly. You may request a police escort or stand-by when you leave. If you have to leave in a hurry, use the following list of items as a guide to what you need to bring with you. Our advocates can help you come up with a personalized safety plan for leaving.

### **1) Identification**

- Driver's license
- Birth certificate and children's birth certificates
- Social security cards
- Financial information
- Money and/or credit cards (in your name)
- Checking and/or savings account books

### **2) Legal Papers**

- Protective order
- Copies of any lease or rental agreements, or the deed to your home
- Car registration and insurance papers
- Health and life insurance papers
- Medical records for you and your children
- School records
- Work permits/green card/visa
- Passport
- Divorce and custody papers
- Marriage license

### **3) Emergency Numbers**

- Your local police and/or sheriff's department
- Your local domestic violence program or shelter
- Friends, relatives and family members
- Your local doctor's office and hospital
- County and/or District Attorney's Office

### **4) Other**

- Medications
- Extra set of house and car keys
- Valuable jewelry
- Pay-as-you-go cell phone
- Address book
- Pictures and sentimental items

- Several changes of clothes for you and your children
- Emergency money

\*\*\*<http://www.thehotline.org/help/path-to-safety/#tab-id-7>

## **After you Leave**

**Your safety plan should include ways to ensure your continued safety after leaving an abusive relationship. Here are some safety precautions to consider:**

- Change your locks and phone number.
- Call the telephone company to request caller ID. Ask that your phone number be blocked so that if you call anyone, neither your partner nor anyone else will be able to get your new, unlisted phone number.
- Change your work hours and the route you take to work.
- Change the route taken to transport children to school or consider changing your children's schools.
- Alert school authorities of the situation.
- If you have a restraining order, keep a certified copy of it with you at all times, and inform friends, neighbors and employers that you have a restraining order in effect.
- Call law enforcement to enforce the order and give copies of the restraining order to employers, neighbors and schools along with a picture of the offender.
- Consider renting a post office box or using the address of a friend for your mail (be aware that addresses are on restraining orders and police reports, and be careful to whom you give your new address and phone number).
- Reschedule appointments that the offender is aware of.
- Use different stores and frequent different social spots.
- Alert neighbors and request that they call the police if they feel you may be in danger.
- Replace wooden doors with steel or metal doors. Install security systems if possible.
- Install a motion sensitive lighting system.
- Tell people you work with about the situation and have your calls screened by one receptionist if possible.
- Tell people who take care of your children or drive them/pick them up from school and activities. Explain your situation to them and provide them with a copy of the restraining order.

\*\*\*<http://www.thehotline.org/help/path-to-safety/#tab-id-8>

## NGMCN Services Include:

Primarily, NGMCN is here for your safety! However, we offer a wide range of services to support you in your recovery. The following list describes the services NGMCN offers, but is not limited to:

- **24-Hour Emergency Shelter:** Staff on call 24 hours a day, 7 days a week, 365 days a year to provide safety, support and shelter to women who are victims/survivors of domestic violence or sexual assault and their children in need of a place to stay.
- **24-Hour Hotline:** Trained and qualified staff provides coverage to victims/survivors of abuse who need information, crisis intervention, and/or safe shelter.
- **Safety Planning:** Custom safety planning with a trained advocate to assist victims/survivors in staying safe.
- **Food, Fuel and Clothing:** NGMCN provides these services through NGMCN Thrift Store, Conoco and Food Lion (Executive Director must approve).
- **Personal Advocacy:** Assistance to clients by acting as a liaison with other agencies to provide housing, jobs, counseling, etc.
- **Legal Advocacy:** Temporary Protective Orders, stalking warrants, referrals to legal services and court accompaniment.
- **Law Enforcement Advocacy:** Advocates work with local law enforcement to assist victims through the criminal justice process as well as communicating any concerns.
- **Medical Advocacy:** Support, referrals, resources and assistance when needed, emergency room accompaniment, financial assistance with medication due to family violence and medical training for medical personnel.
- **Professional Support Groups & Counseling:** Referrals to a Licensed Professional Counselor.
- **Sexual Assault Services to Fannin, Gilmer and Pickens Counties:** Access to forensic medical exams, advocacy, support, crisis line, shelter, clothing, medical accompaniment, court accompaniment, counseling, etc.
- **Transportation:** Emergency transportation to medical and legal appointments directly related to the victimization.
- **Job Skills Training:** Training and assistance for resume writing, job search and applications.
- **Parenting Skills:** Effective parenting, discipline techniques, basic child development, childcare and nutrition.
- **Information and Referrals:** Regarding housing, food, clothing, transportation, legal, childcare, law enforcement and other resources available to assist clients and our communities.
- **Community Education:** Presentations to schools, churches, civic groups, businesses clubs, articles in newspapers, flyers, etc.
- **Liaison to Community Agencies:** NGMCN staff work diligently to obtain financial donations and other resources to families in our communities.

- **Thrift Store Vouchers for Needy Families:** With a referral from other agencies, NGMCN can assist families in need with furniture and other items at no cost with the Executive Director's approval.
- **Volunteer Training:** Orientation, basic DV/SA training, fundraising events, special programs.
- **Referrals to Batter's Programs:** Referrals to batter's groups and anger management in our region.



## GEORGIA CRIME VICTIMS COMPENSATION DOMESTIC VIOLENCE VICTIMS

While we know that no amount of payment can erase the painful memories of domestic abuse, we hope this program will help ease some of your financial burdens. Eligible program applicants may receive compensation benefits up to \$25,000 to help with medical and dental care, mental health counseling, economic support, crime scene sanitization, and funeral expenses when the costs are not covered by other sources.

### ELIGIBILITY REQUIREMENTS

You may be eligible to receive program benefits from the Georgia Crime Victims Compensation Program if you are a domestic violence survivor, the parent or guardian of a minor domestic violence victim, or someone who has taken responsibility (or is listed as a guarantor) for debt incurred as a result of domestic violence.

### ELIGIBILITY TIMEFRAMES

The crime must have been reported to the proper authorities within 72 hours of the crime; (a DV victim can meet this requirement by obtaining a temporary protective order within 72 hours of the incident).

The victim must file an application within 3 years of the domestic violence incident, unless good cause is shown (A claim submitted 3 years after the victimization cannot be considered for crimes occurring prior to July 1, 2014).

**Please Note:** We understand that the decision to report domestic violence is not always an easy decision to make, keeping this in mind, a domestic violence incident not reported within the 72 hour timeframe may be waived for good cause shown.

### COVERED EXPENSES AND THEIR CATEGORICAL CAPS

- Medical/Dental Expenses – up to \$15,000
- Counseling Expenses – up to \$3,000
- Funeral Expenses – up to \$6,000 (3,000 for crimes occurring prior to May 6, 2015)
- Economic Support – up to \$10,000
- Crime Scene Sanitization – up to \$1,500

These are the maximum amounts that an eligible claimant may qualify for in each benefit category (the maximum program amount is \$25,000 per victim based on eligible expenses).

### SAFETY PLAN

Leaving a relationship where there is presence of domestic violence can be extremely dangerous for the individual suffering abuse. Developing a safety plan for leaving will help you think through the leaving process. If you need to speak with someone that can assist you in developing a safety plan, please call 1-800-33HAVEN (1-800-334-2836).

## FREQUENTLY ASKED QUESTIONS

- Q** How can I get reimbursement for wages I lost because of domestic violence?
- A**
- Show proof that you were gainfully employed at the time of the victimization
  - Provide official documentation showing how much you earned 60 days prior to the victimization.
  - Provide official documentation from your employer showing you missed work and the pay lost due to the victimization (additional documentation will be required if you are self-employed).
  - Provide records from a physician or a licensed mental health professional that provided treatment at the time of the victimization stating you had to be out of work.
- Q** I didn't file a police report, but I have a restraining order, can I still apply?
- A**
- Yes, the program may use documentation from a temporary protective order if it was obtained within 72 hours of the incident.
- Q** How can I get economic support based on the abuser's wages?
- A**
- Provide proof that the abuser has been removed from the home (An order of protection can be used as proof in this instance).
  - Provide proof that the victim depends on the abuser for support.
- Q** Can this program provide counseling for me and my children?
- A**
- If eligible, CVCP can pay for counseling and expenses related to the domestic violence incident that are not covered by other sources for up to \$3,000 per victim or witness. (Please refer to Eligible Expense Categories for list of other covered expenses).
- Q** Will this program cover my medical expenses?
- A**
- If eligible, CVCP can pay for follow-up care and other medical expenses related to the domestic violence incidents that are not covered by other sources for up to \$15,000 per victim or witness. (Please refer to Eligible Expense Categories for list of other covered expenses).

\* A victim cannot receive lost wages and loss of support.

**IMPORTANT NOTE:** This document only outlines some of the eligibility requirements for the program. There may be other factors that are not mentioned in this document that might make you ineligible. If you have any questions, or if you would like an application, please call the Criminal Justice Coordinating Council at (404) 657-2222 or (800) 547-0060. You can also visit our website at [cjcc.ga.gov](http://cjcc.ga.gov).

# KNOW YOUR RIGHTS AS A VICTIM

GEORGIA'S VICTIMS BILL OF RIGHTS

## VICTIMS HAVE THE RIGHT TO

- Reasonable, accurate and timely notice of any scheduled court proceedings or any changes to such proceedings
- Reasonable, accurate and timely notice of the arrest, release or escape of the accused.
- Not to be excluded from any scheduled court proceedings involving the accused, except as otherwise provided by law.
- Be heard at any scheduled court proceedings involving the release, plea or sentencing of the accused.
- File a written objection in any parole proceedings involving the accused
- Confer with the prosecuting attorney in any criminal prosecution related to the victim.
- Restitution as provided by law.
- Proceedings free from unreasonable delay.
- Be treated fairly and with dignity by all criminal justice agencies involved in the case.
- Under certain conditions, to be notified of the accused being on an electronic release and monitoring program.
- Notified of an arrest warrant being issued for the accused.
- Notified of the accused being prohibited from contacting the victim.

## VICTIMS RESPONSIBILITY

Victims must provide to the law enforcement agency, prosecuting attorney, and custodial authority a current address and telephone number to be notified of specific actions in a criminal case against the accused, an arrest of the accused, the accused release from custody and any judicial proceeding wherein the release of the accused will be considered.

The victim has the option to waive any of the information or notification or other obligations specified under the Crime Victims Bill of Rights. A victim has the right to designate a spouse, adult child, parent, sibling or grandparent to act on behalf of him or her, when the victim is physically unable to personally assume the rights under the law.

The Crime Victims Bill of Rights mandates that the criminal justice system provide service notification of the case to crime victims throughout all phases of the criminal justice process. The Crime Victims Bill of Rights outlines the responsibilities of victims, law enforcement and the judiciary in providing crime victims the rights available incorporated in the context of the criminal justice system. Victims of the following crimes should be notified:

- Crimes against persons
- Sex Crimes
- Burglary
- Arson
- Forgery
- Sale or distribution of Harmful Materials to Minors
- Homicide by Vehicle
- Feticide by Vehicle
- Serious Injury by Vehicle

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## LAW ENFORCEMENT RESPONSIBILITY

After a victim has made initial contact with law enforcement and court personnel, they shall make the following information available to the victim:

- That it is possible the accused may be released from custody prior to trial.
- That the victim has certain rights during the various stages of the criminal justice process.
- That if an arrest of the accused is made, the arresting agency must advise the investigating agency, if different, from the arresting agency. The investigating agency, upon receipt of that information, must promptly notify the victim of the arrest.
- That additional information about the Victims Bill of Rights can be obtained by the contacting the Criminal Justice Coordinating Council at 404-567-1956, 1-877-231-6590 or 404-463-7650 (TTY).
- That victim of a violent crime can apply for compensation under the Crime Victims Compensation Program by calling 404-657-2222, 1-800-547-0060 or 404-463-7650 (TTY).
- That a victim may have available to them Community Based Victim Service Programs and more information may be obtained by contacting the Governor's Victim Assistance Help line at 1-800-338-6745.

## PROSECUTION RESPONSIBILITY

During the prosecution phase of the criminal justice process, the prosecuting attorney has many requirements to keep a victim informed. It is the victim's responsibility to provide a current address and telephone number for the prosecuting attorney to supply the victim with the following:

- Advise the victim that he or she has the right to be present at all criminal proceedings in which the accused has the right to be present.
- Explain the procedural steps in processing a criminal case. Inform the victim of his or her rights under the law. Suggest procedures a victim should utilize if he or she is subjected to threats or intimidation and provide numbers and contact persons at the prosecuting attorney's office and custodial authority (if applicable).
- Notify the victim prior to any proceeding in which the release of the accused will be considered, and offer the victim the opportunity to express his or her opinion regarding the release of the accused.
- Afford the victim the opportunity to express his or her opinion regarding the release of the accused pending a judicial hearing.
- Advise the victim that if a court grants the accused a pretrial release or bond that the victim may file a written complaint at which time the prosecuting attorney may move the court to revoke that action.
- Advise the victim that he or she has the right to wait during judicial proceedings in an area separate from the accused and his or her relatives, friends and witnesses. If such an area is not practical, the victim may request that the court minimize such contact.
- The court may, under certain circumstances, order that the victim's current address, telephone number or place of employment not be released to the defendant by anyone including defense counsel.
- The prosecuting attorney must offer the victim the opportunity to express his or her opinion regarding the disposition of an accused's case if it is a product of a plea bargain or it involves the accused's participation in a pretrial or post trial diversion program.
- The prosecuting attorney must advise the victim which custodial authority he or she must provide a current telephone number and address.

## THE VICTIMS RESPONSIBILITY WITH PROSECUTION

The victim must make a request in writing to the prosecuting attorney to be notified of the following:

- Whether the accused has filed a motion for a new trial or an appeal to his or her conviction.
- Whether the accused has been released pending disposition of the above described motion or appeal.
- Notify the victim of the time and place of any appellate court proceedings relating to the motion or appeal and of any subsequent changes in the time and place of those proceedings.

In addition to the written request to the prosecuting attorney, the victim is responsible to provide a current telephone and address to the following agencies to receive notification information:

- The investigating law enforcement agency.
- The prosecuting attorney, until final disposition or completion of the appellate and post-conviction process, whichever occurs later; and as directed by the prosecuting attorney
- The sheriff if the accused is in a sheriff's custody for pretrial, trial or post conviction proceedings.
- The Department of Corrections if the accused is in the custody of the State.
- Any county correctional facility if the defendant is sentenced to serve time in a facility which is not a State facility
- The State Board of Pardons and Paroles.

## CUSTODIAL RESPONSIBILITY

Upon conviction, the offender may be sentenced to a variety of alternatives, which may require that he or she be incarcerated. Even if the offender is incarcerated, he or she may be paroled before the time period for confinement has lapsed. Throughout these steps, a victim also has certain rights. These rights include:

- If the custodial authority is a county or municipal jail the custodial authority must provide a prompt notification to the victim by telephoning the victim to the current telephone number supplied by the victim advising of the release of an accused.
- If the custodial authority is a State correctional facility all current State laws apply regarding notification.
- The State Board of Pardons and Paroles must provide the victim with twenty (20) days advance notification whenever it considers making a decision to grant parole or any other clemency action of more than sixty (60) days, and allow the victim to file a written objection to such an action.

This Information was provided by the  
**Criminal Justice Coordinating Council**

104 Marietta Street NW, Suite 440  
Atlanta, GA 30303  
Telephone Number: 404-657-2222  
Facsimile Number: 404-463-7652  
Web-Site: [cjcc.ga.gov](http://cjcc.ga.gov)

## Fannin, Gilmer and Pickens Counties Resource Guide

### Fannin County

**The Craddock Center** – (706) 632-1772 - Children’s Enrichment Program and Assistance with Furniture

**Fannin County Department of Family and Children Services** – (706) 632-2296 – Food stamps, Medicaid, TANF, Foster Care and Adoption Services

**Fannin County Family Connection** – (706) 632-6063 - Food Pantry, Homeless Day Services, Connection to Community Resources for Families and Children

**Fannin County Head Start** – (706) 374-6250 – School Assistance for Young Children

**Fannin County Health Department** – (706) 632-3023 – Quality Healthcare Services

**Fannin County Public Library** – (706) 632-5263 – Access to Computers/Wi-Fi, Children’s Area

**Fannin Regional Hospital** – (706) 632-3711 – Emergency Room & Health Services

**FLAG Adult Education** – (706) 946-3524 – GED Prep, Reading and Math Improvement, and ESL for Adults

**Georgia Mountain Health** – (706) 946-4647 - Adult/Pediatric Medical Services and Counseling Services

**Her Hope Pregnancy Center** – (706) 946-9477 – Pregnancy Services for Women

**MATS Transportation** – (706) 632-7203 – Transportation Assistance

**North Georgia Community Action** – (706) 692-5623- Community Service Program Working to Improve the Lives of Low-Income, Elderly and Home-bound Populations through Emergency Assistance for Food and Heating/Cooling

**NorthStar Educational & Therapeutic Services** – (706) 258-2832 – Services for Students with Disabilities Ages 5-21

### Gilmer County

**The Craddock Center** – (706) 632-1772 - Children’s Enrichment Program and Assistance with Furniture

**Georgia Mountain Health** – (706) 635-6898 – Adult/Pediatric Medical Services and Counseling Services

**Georgia Vocational Rehabilitation Agency (Ellijay Office)** – (844) 367-4872 – Employment and Independence Assistance for Individuals with Disabilities

**Gilmer Community Food Pantry** – (706) 273-3663 – Wednesdays from 9:00 A.M. – 12:45 P.M. for food distribution

**Gilmer County Department of Family and Children Services** – (706) 635-2361 - Food stamps, Medicaid, TANF, Foster Care and Adoption Services

**Gilmer County Family Connection** – (706) 276-2319 - Connection to Community Resources for Families and Children

**Gilmer County Head Start** – (706) 635-4045 – School Assistance for Young Children

**Gilmer County Health Department** – (706) 635-4363 – Quality Healthcare Services

**Gilmer County Public Library** – (706) 635-4528 - Access to Computers/Wi-Fi, Children’s Area

**MATS Transportation** – (706) 276-6287 – Transportation Assistance

**North Georgia Community Action** – (706) 692-5623- Community Service Program Working to Improve the Lives of Low-Income, Elderly and Home-bound Populations through Emergency Assistance for Food and Heating/Cooling

**Piedmont Mountainside Ellijay ER** – (706) 515-4000 - Emergency Room & Health Services

**Safe Choice Pregnancy Center** – (706) 276-1945 – Pregnancy Services for Women

**Superfriendly Dental** – (706) 276-2828 – Pediatric Dentistry

## **Pickens County**

**CARES, Inc.** – (706) 253-4777 – Community Food Bank – Monday, Wednesday and Friday – 9:00 A.M. – 12:00 P.M. – Emergency Financial Assistance (1<sup>st</sup> & 3<sup>rd</sup> Friday of each month – families may receive assistance twice every 12 months, first 10 clients will be served and must provide documentation of situation)

**Good Samaritan Health & Wellness Center** – (706) 253-4673 – Medical, Dental, Lab work, Pharmacy, Mental Health, Imaging, Specialty

**MATS Transportation** – (706) 692-3252 – Transportation Assistance

**NorthStar Educational & Therapeutic Services** – (706) 253-1790 – Services for Students with Disabilities Ages 5-21

**North Georgia Community Action** – (706) 692-5623- Community Service Program Working to Improve the Lives of Low-Income, Elderly and Home-bound Populations through Emergency Assistance for Food and Heating/Cooling

**Piedmont Mountainside** – (706) 692-2441 - Emergency Room & Health Services

**Pickens County Department of Family and Children Services** – (706) 692-4701 - Food stamps, Medicaid, TANF, Foster Care and Adoption Services

**Pickens County Family Connection** - (706) 253-2319 - Connection to Community Resources for Families and Children

**Pickens County Head Start** – (770) 735-3434 – School Assistance for Young Children

**Pickens County Health Department** – (706) 253-2821 – Quality Healthcare Services

**Pickens County Public Library** – (706) 692-5411 - Access to Computers/Wi-Fi, Children's Area

**The Pregnancy Center** – (706) 253-6303 – Services for Women Who are Pregnant, Raising Children or Working Through Loss, Fatherhood Services for Men

NGMCN, Inc. adheres to the following **No Discrimination** policy: “No person shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249 (c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in NGMCN, Inc. programs. Any person(s) that are unable to live in the shelter due to capacity or being an adult male will still have access to comparable services provided to residential clients.

Should you feel you have been discriminated against please contact Erin Pritchett, Executive Director at (706) 632-9024 or NGMCN's Board President @ (706) 632-9024. If you feel your grievance is not resolved at the local level by the Executive Director, you may contact the Criminal Justice Coordinating Council. Ask to speak to the Civil Rights Officer @ (404) 657-1956.