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BREAKING THE SILENCE:

A HANDBOOK FOR VICTIMS OF DOMESTIC VIOLENCE



HOW IS YOUR RELATIONSHIP?

Yes No

- I am afraid of my spouse/partner.
- I am scared to tell my partner how I feel because I am afraid of his/her reaction.
- I must ask my spouse/partner for permission to see family or friends, spend money, or buy something for myself.
- I sometimes feel numb inside.
- I try to fix the relationship and to please my partner but nothing I do is enough.
- I am confused about the differences in the way my spouse/partner views our relationship and the way I see it.
- I often feel alone.
- I sometimes believe the terrible things my partner says about me. Sometimes I am not sure what is real anymore. Sometimes I think that I'm going crazy.

How do you feel about what is happening to you? Begin to trust your instincts about your situation. If you feel that you are being emotionally and/or physically abused, you are probably right. If you aren't sure, but answered "yes" to most of the questions above, you may be a victim of your spouse's/partner's abusive behavior.

Identifying yourself as a victim does not mean that you are to blame for what is happening in any way, even if you stay in a relationship. Sometimes staying in the relationship is the safest option at the moment. Identifying yourself as a victim does not mean that you should leave. Your safety is what is most important.

SECTION ONE

UNDERSTANDING DOMESTIC VIOLENCE

Being physically or emotionally abused by a spouse/partner is a frightening and lonely experience. You may feel that you are the only person to whom this is happening. In reality, millions of people of all ages, gender, cultural and economic backgrounds in the United States experience domestic violence every year. Knowing that you are not the only one experiencing violence in an intimate relationship can help to free you from the shame and embarrassment you may be feeling. It also may help you understand that the abuse does not occur because you are doing something “wrong,” or that you do something to cause it to happen.

Signs of domestic violence include:

- You have been slapped, shaken, pushed, bitten, punched, beaten, pinched, kicked, stabbed, had an object thrown at you, strangled, been hit with a weapon or shot.
- Your personal freedom has been restrained, such as:
 - ✿ You have been isolated from friends and family members,
 - ✿ You have been locked in or out of the house or abandoned in dangerous places, and/or
 - ✿ You have not been allowed to practice your religious beliefs.
- You have no access to financial resources or no part in making financial decisions and/or prevented from seeking employment.
- You have been denied medical care, including reproductive health options or medical care when pregnant.
- You have been threatened, accused unjustly of having affairs, constantly criticized, humiliated in public, called derogatory names, had your thoughts and feelings constantly ignored or denied.

- You are scared to deny sex to your partner, or you have been forced to perform unwanted sexual acts, raped, forced to have sex with others or to watch others, or called demeaning sexual names.
- Your children have been threatened or abused to punish you, affection has been withheld as punishment, you have been forced to submit to reckless driving, property or pets that you value have been harmed or destroyed, you have been manipulated with lies, promises and contradictions.

It is still abuse if . . .

- The incidents of physical abuse seem minor when compared to those you have read about, seen on television or heard other people talk about. There isn't a "better" or "worse" form of abuse; you can be severely injured as a result of being pushed, for example.
- The incidents of physical abuse have only occurred one or two times in the relationship. Studies indicate that if your spouse/partner has injured you once, it is likely he/she will continue to physically assault you.
- The physical assaults stopped when you became passive and gave up your right to express yourself as you desire, to move about freely and see others, and to make decisions. It is not a victory if you have to give up your rights as a person and a partner in exchange for not being assaulted!
- There has not been any physical violence. Many people are emotionally and verbally assaulted. This can be as equally frightening and is often more confusing to understand.

Abusive behavior is a pattern which often includes intimidation, isolation, lies, threats and verbal abuse in addition to physical attacks and/or the threat of physical and sexual violence.

All are part of a pattern of power and control and should be taken seriously.

While the violence may be infrequent and minor in the early stages, it will probably get worse in intensity and frequency as time goes on.

In the past, you may have tried to minimize or deny the violence—telling yourself and others that what is happening is not really serious or that it is only a minor problem in an otherwise good relationship. You may have hidden your injuries from family and friends. You may have been dishonest with doctors and others about the cause of injuries. If you are in a same sex relationship, you may have denied the abuse to keep your relationship a secret. Do not feel guilty about these actions; they are coping skills you have developed to help you survive. It is not uncommon for people to minimize and deny dangerous and traumatic situations in their lives.

You may have thought at one time or another that you are responsible—at least partially—for the violence. You may have been told by others, especially your partner, that it is your fault. People who use violence often try to promote the idea that you “control” the violence. **This is not true.** The first step in understanding your situation is to put responsibility for the abuse where it belongs—with your partner.

You do not cause your partner to abuse you emotionally, physically or sexually. The abuser is solely responsible for the violence.

Abuse can happen in any type of relationship, including if . . .

- You are not legally married to the abusive partner.
- You are in a same sex relationship with someone who abuses you emotionally, physically or sexually.
- You have formally or legally ended your relationship but your ex-spouse/partner continues to behave in an abusive manner toward you.
- You are not living with your spouse/partner but he/she is abusive to you.

Abusive behavior usually results from a combination of learned behavior and rigid stereotypical attitudes about male/female roles. As one batterer put it, “She couldn’t make me hit her if I didn’t want to.” Traditionally, a woman’s role was seen as a caretaker; that of keeping her partner and children happy and comfortable. This tradition is not one that serves us well. You cannot make everything okay by yourself. Such beliefs may cause women in abusive relationships to accept blame for the violence. We have all heard sayings such as, “What did you do to deserve this?” or “If you would just be a better parent, spouse, cook, etc., this would not be happening.”

By refusing to accept responsibility for your partner’s abusive behavior, you can begin to make changes in how you feel about yourself and your situation. You may need to forgive yourself for past events and behaviors which produced guilt and self-blame. Identifying yourself as a victim can be a difficult experience.

Consider thinking about yourself in new ways:

- I am not to blame for being beaten and abused.
- I am not the cause of my partner’s abusive behavior.
- I do not deserve to be abused and do not have to take it.
- I am an important human being.
- I deserve to be treated with respect.
- I do have power over my own life.
- I can decide for myself what is best for me.
- I am not alone. I can ask others to help me.
- I am worth working for and changing for.
- I deserve to make my own life safe and healthy.
- I am a worthwhile person.

- » As a human being and as a partner, I have rights.
- » I can still love my partner and protect myself emotionally, sexually and physically.
- » I can allow my partner to be responsible for himself/herself.

Consider what rights you have with your partner. The happiest, most fulfilling and longest lasting relationships are those that are equal. That is, relationships where each partner is an equal of the other in decision-making, parenting, career, and finances, and where both partners are free and able to express their thoughts, feelings, and ideas to the other. Each person may have different skills and strengths, however, both people are respected and their contributions are valued.

You are an adult in an adult relationship. It is not necessary or appropriate that you be treated like a child or subjected to “discipline.” As an adult, you are capable of competent, responsible thought and action—and you deserve to be treated that way. Even if your partner has more experience in some areas, you also have the right to explore and develop your own skills in any area you choose.



SECTION TWO

DYNAMICS OF DOMESTIC VIOLENCE

Common misconceptions about domestic violence

There are a number of misconceptions about domestic violence that aid in society's denial of the problem. Most of these focus on blaming the victim for the violence instead of addressing the issue of why some people choose to use violence against their partners.

Myth: *A person, through words or behaviors, provokes the violence.*

Fact: The use of violence has little to do with the victim's behavior and everything to do with the partner's need to control others, the choice to use physical force, his/her own attitudes and expectations about male/female roles, and the lack of negative consequences experienced for the use of violence. If you are being abused, you have probably been told at one time or another that you do things which "cause" your partner to be violent. Remember, regardless of your behavior, it is your partner's choice and decision to use violence. Blaming you for the abuse is just one of the ways someone denies responsibility for the abuse.

Myth: *People who stay in abusive relationships are asking to be beaten, and therefore must "enjoy the abuse."*

Fact: This myth is especially insulting to someone who is being abused. No one wants to be beaten and, in fact, many people do leave. The reasons a person may remain in an abusive relationship are varied and complex. It may be out of economic necessity, hope the abuse will end, or religious beliefs or values about marriage and parenthood which make it difficult for the person to leave. Most victims are also threatened with severe harm to themselves or their children if they attempt to leave. This danger is real.

Myth: *Domestic violence is caused by external factors or events, such as job stress, financial problems and alcohol/drug use.*

Fact: While some or all of these factors may be present in an abusive relationship, **none, separately or together, are the cause of your partner's violence.** There may be a connection in the frequency and severity of the abuse. For example, some people have experienced more severe forms of physical abuse when their partner has been drinking. However, other forms of power and control occur when the partner is sober. Additionally, factors such as stress, alcohol or other substance use are often used as convenient excuses for the abuse. It is important to know eliminating alcohol/ drug use or minimizing the amount of stress in your relationship or in the environment around you will rarely stop all forms of abuse.

Myth: *People who use violence are “out of control” and/or just have a problem expressing anger.*

Fact: Abusers often report they “just have a bad temper” and temporarily “lost control” during the assault. In reality, however, most abusers control their use of violence quite well. They are usually NOT physically violent toward you in the presence of others, nor are they abusive to their boss, their friends, or their neighbors. They often only use violence against their partners or their children in the privacy of their own home. They choose the time, place and people they will abuse.

Remember, violence is a learned behavior. Your partner uses it to control you and to get a variety of needs met. This is not being out of control. Rather, it is exerting control.

Myth: *Abuse does not affect the children in the family. Usually, they do not even know it is happening.*

Fact: Abuse can have a devastating impact on children. Most children and youth know what is happening in the home, even at a very early age.

There are certainly other myths that perpetuate domestic and sexual violence by minimizing the seriousness of the situation and focusing on the victim's behavior instead of the abuser's choice to use violence. If you have believed these myths, you have probably

been torn between your need for safety and the desire to preserve your relationship. Keep in mind an abuser will encourage a belief in these myths to avoid responsibility for the abuse.

The progression of violence & tactics of control

In all probability, your partner was not physically abusive in the beginning stages of your relationship and, even now, does not always use physical violence. It is rare for an abuser to physically assault a partner prior to beginning a pattern of verbal and emotional abuse. It is likely, as you look back on the relationship, you can begin to recognize how the abuse began in very subtle ways—through attacks on your feelings of self-worth, your abilities as a person, and by slowly isolating you from others. Often, it is not until a person feels “trapped,” either emotionally, financially or socially, that she/he recognizes how destructive and abusive the partner has become. Frequently, the physical violence begins to increase in severity and intensity at this stage - after an abuser is reasonably sure the other person is isolated and cut off from a support system.

The tactics used by a batterer also involve much more than physical abuse. In addition to being assaulted, whether it is once a week, once a month, or once a year, most abusers engage in other behaviors which make their partners fearful and afraid. On the following page is a diagram of the “Power and Control Wheel,” developed by the Domestic Abuse Intervention Project in Duluth, Minnesota. The wheel serves as an illustration of the many tactics an abuser will use. It is often the use of the non-physical tactics which have the greatest impact on a person’s feelings of self-worth.

Recognizing which of these tactics have been used by your partner may help you to understand how difficult it has been for you to see your alternatives and how these behaviors have limited your freedom, your safety and your self-determination.



Domestic Abuse Intervention Project

202 East Superior Street

Duluth, MN 55802

218-722-2781

www.theduluthmodel.org

Emotional abuse

Most people who are being physically abused are also being emotionally abused. The most obvious type of emotional abuse is being constantly criticized or degraded. Your partner may also be emotionally abusive by ignoring you, withholding affection, calling you names, accusing you of having affairs, or telling you that you are an unfit parent, friend or spouse. Emotional abuse can be subtle and is often hard to recognize; however, it can be very damaging. It is an effective tactic to keep you from feeling you are deserving of love and respect.

Isolation

Most abusers will isolate their partners, geographically, emotionally, or socially, in order to keep them under their control. They move the family miles away from friends and relatives or discourage or forbid their partners from having close relationships with others. Victims often report they are not allowed to see friends or family, get a job, have access to transportation, participate in religious/spiritual activities, or have outside interests or activities. Even if these activities are not strictly “forbidden,” you may find it easier to stop doing activities due to your partner’s actions. Your partner may have put limits on you by monitoring phone calls, questioning you about your whereabouts, or publicly humiliating you.

Minimizing, denying and blaming

Abusers blame their partner for the abuse by making them feel like they are “overreacting” to the violence. Abusers will minimize or deny the severity of their actions, and refuse to acknowledge any controlling behaviors. If they do acknowledge the violence, they will point to other person’s behavior or attitude as an excuse for why they used violence. This tactic is extremely effective at increasing your sense of responsibility, because you are aware that the batterer will simply blame you for the assaults if you tell others about the abusive behavior.

Economic abuse

Many people report their partners frequently control access to their financial resources by withholding money from them, sabotaging their efforts to get or keep a job, berating them about how they spend money, and by lying about assets. Some abusers keep all bank accounts and credit cards in their name so you have no access to funds without their permission. Not having access to financial resources keeps many people economically dependent on their abusers and is a major barrier to a person who wants to leave the relationship.

Using children

One of the most frequent, yet often minimized, forms of abuse is using your children to make you feel bad about yourself. Perhaps your partner has repeatedly told you that you are not a good parent and if you ever attempt to leave, he/she will fight you for custody. Your partner may have even threatened to kidnap or kill the children if you make any effort to escape.

Many abusers also try to turn children against the other parent by telling lies or by threatening them with harm. These threats are very real to a person in an abusive relationship and may make you too afraid to leave.

Using coercion and threats

Your partner may threaten to increase the use of violence toward you or your children if you do not obey at all costs. He/she may threaten suicide or threaten to harm other members of your family or your friends if you attempt to leave. If you are in a same-sex relationship, your partner may threaten to “out” you by revealing your relationship to those whom you might not want to know. Coercion can also include forcing you to commit illegal activities and subsequently threatening to report you to child protective services or law enforcement. These behaviors are designed to keep you afraid and to keep you from ending the relationship.

Using male privilege

In a relationship where the abuser is a man, male privilege may be used. Part of an abuser's belief system is a feeling that they "own" their partners and children, and are entitled to demand absolute obedience from them. They often have very rigid attitudes about gender roles, acting like the "master of the castle" and treating their partner as a servant.

Intimidation

Intimidating behaviors and actions can range from threatening looks or gestures to slamming objects, destroying property, hurting or killing pets, and displaying weapons. An abuser will often destroy an item that has special meaning to his/her partner. This implies that the other person could be the next target.

Even though your partner might not always use physical violence, it is likely he/she is constantly utilizing many of these tactics to control and degrade you. If you have heard over and over again how worthless you are, how everything is your fault, and how you deserve to be "punished" for your failures, you are likely to begin to believe it. This is especially true if there is no one around to support you as a worthwhile person and who sees your partner's abusive behavior as destructive and inappropriate.

Given the isolation, the constant negative reinforcement and the violence you are experiencing, it is not uncommon for you to become confused about what is happening. You may begin to feel numb inside as your perceptions of yourself and your relationship become more and more distorted. You may be feeling like you are unable to take any action—recognizing the dangers you face if you leave and realizing there is nothing you can do to stop the abuse if you stay. It is not uncommon for victims to begin to exhibit symptoms similar to prisoners of war - they are disoriented, may be suffering from sleep deprivation, interrupted eating patterns, and shock. These symptoms are normal reactions to abnormal circumstances and do not mean you are "going crazy."

Domestic violence is a very powerful and effective form of control and any person experiencing this type of violence is likely to feel unsure about what to do. However, the more you can begin to understand what is happening, the better you will recognize that your partner is responsible for the behavior and what is happening to you is not your fault.



SECTION THREE

EXPLORING YOUR OPTIONS

A message to people who have been abused . . .

We are here for you. We won't judge, condemn, or tell you what to do. We will believe you. We will listen to you. We will offer our support, a safe space, food, transportation, emergency assistance and advocacy. We will do our best to meet your needs as you become a survivor.

The ultimate choice that you face is whether to stay or to leave either temporarily or permanently. You may have left on several occasions in the past, only to change your mind and return a few days later. You may feel weak or embarrassed because you did return and found yourself being abused again.

Ending an important relationship in your life is not easy. At times you may be pressured by friends, family members and others to leave or stay in your relationship. You may feel undecided and confused, sometimes wanting nothing more than to get away and at other times wanting to cling to the relationship and preserve it. Do not let self-blame immobilize you.

As you are considering your options, be aware of the following information about domestic violence:

- It will probably happen again. Without outside help, the violence usually becomes more severe and more frequent over time.
- The partner's promises to stop abusing you are often a form of manipulation used to keep you in line and to prevent you from leaving.
- There is no guarantee that, even with the best counseling, your partner will change. Most abusive people resist counseling and deny that they need help. Even if the physical assaults stop temporarily, be aware of how the partner may still be controlling you through isolation, intimidation and threats.

- You and your children deserve to feel safe and be safe from physical, emotional, and sexual abuse.

If you stay

If you decide at this time to stay with the abusive partner, there are some things that you can do to try to improve the situation.

- Contact the domestic violence/sexual assault program in your area. They can provide emotional support, advocacy, safe emergency housing, information, and other services while you are in the relationship, as well as if you decide to leave.
- Build as strong a support system as your partner will allow. Whenever possible, get involved with people and activities outside your home and encourage your children to do so.
- Be kind to yourself! Develop a positive way of looking at yourself and talking to yourself. Use positive statements to counter the negative comments you get from the abuser. Allow yourself time for doing things you enjoy.
- Make a safety plan. Since it is likely that the abuse will continue, having a safety plan can make the difference between being severely injured or killed and avoiding such a tragedy. A plan may include:
 1. A place to hide a set of car keys.
 2. A hidden emergency fund. Even if you can only manage to save one or two dollars at a time, begin building an emergency fund for the time when you may need some cash to get away.
 3. Pack a bag with a couple changes of clothes for yourself and your family and leave it with a trusted friend or hide it where your partner won't find it. If possible, include copies of birth certificates, social security cards, and other legal papers for everyone in the family who will flee. You may need them. Also gather financial records, e.g., rent, mortgage, utility receipts, insurance cards, and checking

and/or savings account books. If packing a suitcase isn't possible, fill one drawer of your dresser with items you will need if it is safe to do so.

4. Develop a plan for calling the police in an emergency. Older children might be coached to get to a cell phone or go to the neighbors if you cannot reach the phone. Some people work out signals with understanding neighbors. The local domestic violence/sexual assault program may be available to provide a 911 cell phone to increase your access to law enforcement.
 5. Know where you can go and how you will get there in case you have to leave suddenly.
 6. Make arrangements for sheltering your pets.
 7. Communicate with your children. Learn non-violent means of disciplining your children. Since children often model adult behavior, it is very important you teach your children non-violent problem solving. There are resources in your community that can support you and provide you with suggestions. Be honest with your children. They are probably very aware that something is not right. Help them to understand that hitting someone is wrong and that they are not responsible for the abuser's behavior. They need to know that staying does not mean the violence is okay.
 8. When you are in immediate danger, get out! You can always return the next day if you wish. Planning for your safety and recognizing your options can help you protect yourself and your children. The domestic violence/sexual assault program in your area can offer you assistance with many of these services and advocates are available 24 hours a day.
- Remember that you can change your mind and decide to leave at any time. Choosing to stay seem the best option to you now, but if that changes, do not hesitate or feel guilty. You have a right to change your mind!

If you leave

Leaving does not mean your partner will stop being abusive. In fact, your partner may become more abusive as you attempt to leave. He/she may be so afraid of “losing” you that he/she will increase any threats to hurt you, the children or himself/herself. You are the best judge of how dangerous your situation may become if you attempt to leave.

You may also feel overwhelmed by financial concerns - including where you will live and how you will afford to take care of yourself and your children. Thinking about economic survival can be discouraging and frightening. The domestic violence/sexual assault program in your area can help you sort through the many challenges you have ahead and can help you get the emotional and financial support you may need.

If you have made a decision to leave permanently, allow yourself to feel the natural grief at the loss of your relationship. No matter how bad it was, there were good things too, and it was a very important part of your life. Leaving is often a process. Many people who have been abused leave and return several times before permanently separating from the relationship. Be patient with yourself.

You may feel emotions of loss, sadness, and depression. Accept these feelings as natural and allow yourself to experience them. If you find yourself thinking, “I’m stupid to care after what I’ve been through” or “I shouldn’t feel this way,” remind yourself, “It’s okay for me to be feeling this way now.”

Building a strong support system is essential when freeing yourself from a violent relationship and when making a healthy transition to being a survivor. This support system could include:

- Concerned family and friends (they may need to do some reading or talk to an advocate to better understand your experience),
- An advocate from a domestic violence/sexual assault program,

- » A trained mental health counselor or therapist (if you choose to seek counseling),
- » A member of the clergy or spiritual leader, and
- » A support group.

You have been strong enough to keep your family together under difficult circumstances. Now, with the help of a support system you can become strong enough to build a life without violence.

While there are certainly many additional questions and considerations you may face while you decide to stay or leave; these are a beginning. It may also be helpful to list the positives and negatives, or pros and cons, of both staying and leaving. Questions other people have asked are:

- » What do I gain by staying/leaving?
- » What do my children gain by living in a violent home?
- » What are my expectations for the future? How can I work to get them?
- » What am I willing to do without, if necessary - material things, my health, my emotional stability, my self-esteem, etc.?
- » What is the price I've been paying to stay in this relationship?
- » How will staying/leaving affect me one year/five years from now?
- » What do I value? What do I want and need from myself and others?

Help is available

Whether you decide to stay or to leave, there are resources throughout Nebraska that can help you.

Although it is not possible to list the resources available in every community for legal assistance, law enforcement intervention, medical care, housing, transportation, financial assistance and other

needed services, the domestic violence/sexual assault programs listed in this booklet can help you find out about these services in your area and provide you with crisis counseling and support.

A domestic violence/sexual assault advocate (advocate) is a specially trained professional who provides assistance to victims of domestic abuse and their dependents. Advocates are aware of your rights to social services, legal and medical assistance and are familiar with the procedures of these agencies/services. They can accompany you to court for civil and criminal court proceedings, provide on-going emotional support and advocacy, and referrals to community resources for counseling, housing, employment, job training opportunities, educational programs, and others. They will usually provide you with agency names and telephone numbers for you to obtain needed appointments. However, if you have difficulty doing these things on your own, or feel uncomfortable about doing so, an advocate will be available to help you. All domestic violence/sexual assault programs in Nebraska provide access to the following basic services.

Crisis intervention and advocacy

Each program has a 24-hour crisis line you can call to obtain emergency shelter, transportation, and medical and legal referrals. You do not have to give your name if you choose to remain anonymous. You can call at any time to talk with an advocate. Staff and trained volunteers are available to listen to you, provide you emotional support and give you information about your options. They will support the decisions you make and assist you in carrying out those decisions.

Emergency transportation

All programs can help you get to a place of safety. This might be transportation to the hospital, the shelter, or an appointment with an attorney, human services or other community agencies.

Emergency financial assistance

Although most programs have extremely limited funds, they can assist you with referrals for items such as food, clothing, child care and long-distance travel. Advocates can also help you access financial assistance from other sources for items such as housing, medical and legal assistance.

Emergency shelter

Each program in Nebraska has emergency shelter services where you and your children can stay, or they can make referrals to other resources for shelter. The shelter facility is a safe refuge and is usually in a confidential location to make it harder for the abuser to find you and harm you. The shelters are comfortable and home-like. Usually you can stay long enough to rest and regain emotional and physical strength, make some decisions about your needs, and begin to put those decisions into action. Each shelter houses from one to several families at a time, so you will likely be in touch with other people who have had similar experiences. The facilities have shelter guidelines for the safety and convenience of everyone at the shelter. You will be asked to follow the guidelines and cooperate in a shared living arrangement. Program staff is available to answer questions, provide emotional support and assist you with reestablishing yourself and your children.

In communities where formal shelter facilities do not exist, domestic violence/sexual assault programs provide shelter by alternate means. This may include a short-term stay at a local motel/hotel. They will also assist you in getting to a nearby shelter if you wish. Most programs have some means of helping people relocate to another part of the country or can help you obtain the resources to relocate if you wish to do so. Advocates can get information about the availability of shelter programs and other services anywhere in the United States.

Making a decision to go to a shelter does not necessarily mean you are leaving forever. If you decide to go back home, **the staff will support you in that decision and assist you in preparing a safety plan for you and your children.**

Support groups

Most programs offer a weekly support group for people who are in or have formally been in an abusive relationship (both those who stay in the shelter and those who do not). The support group is a safe place to share experiences and feelings with others who have been abused and to learn new coping techniques for living.

Other services

In some areas of the state, the local program also provides support groups specifically for children and groups for abusers. Staff and volunteers are also trained to assist victims of sexual assault and can assist you or your children in working through incest, rape, or child sexual assault issues.

Domestic violence/sexual assault programs can be a very helpful resource to you, as the staff is specifically educated about domestic violence and sexual assault. They also have information and knowledge of what local services are available and the procedures for obtaining these services. Finally, they can help you understand and cope with your own feelings, fears, and confusion. They can provide vital support to you as you make important decisions about your life and the lives of your children. The services are available to you 24 hours a day and are free of charge.

The domestic violence/sexual assault program in your area will:

- Provide emotional support during a crisis.
- Give you information about resources and options.
- Treat you with respect and dignity.

The domestic violence/sexual assault program will not:

- Pressure you into making any certain decision.
- Deny services if you decide to return to the abuser.
- Reveal confidential information about you to anyone outside the program without your written permission.

Any information you give to the program (with the exception of information concerning child abuse, vulnerable adult abuse, suicide, and homicide) will be held in the strictest confidence.

Other considerations

Regardless if you decide to stay or leave the relationship, some people seek help from professional counselors, private therapists or clergy. While most of these individuals can be a valuable resource and extremely helpful, there are others who may not recognize the seriousness of the abuser’s actions or who do not have an understanding of how the abuser’s actions affect a person. Some people report they have been told they are contributing to the violence and they have to change their behaviors to become more assertive and understanding of their partners. Others are incorrectly labeled as suffering from “low self-esteem,” being “codependent,” or “enabling” the violence by staying or by not being “a good spouse.” All of these are placing the responsibility for the violence on you and could increase the risk that you’ll be seriously hurt or killed.

If you are seeing anyone who says that the violence is caused by these factors, it may be wise to seek assistance from another individual or agency which has a better understanding of domestic violence and does not place the responsibility for the violence on you. These beliefs and actions, even if they are done with the best intentions, indicate the person does not understand domestic violence and they could be encouraging you to do things that could be harmful to your safety.



SECTION FOUR

LEGAL OPTIONS AVAILABLE TO YOU

(Note: This section provides general information about legal options. It is not meant to provide specific advice, and may not be totally applicable in any particular case. It is important to remember that laws change and the information in this booklet is based on the laws in effect in January 2013. If you have additional questions about your situation or your legal rights, you should seek the professional advice of an attorney.)

The legal system, though by no means perfect or totally adequate, can provide you assistance. Below is a brief description of some of your legal options. You may contact your local domestic violence/sexual assault program for further information and for referrals to other agencies that can provide legal assistance and resources.

Arrest

Anytime your partner physically assaults you, he/she is committing a crime. You have the option to call the police during or after you have been assaulted; however, it is important to realize that the police may not arrest your partner if there is not enough evidence. If your partner is not arrested, it does not mean the police do not believe you; just that there isn't enough evidence for an arrest. If your partner is arrested, he/she may be taken into custody and transported to the jail, or he/she may simply receive a violation in the form of a written ticket requiring an appearance in court at a later date.

If the abuser is arrested, you can ask the officers about the legal process (i.e., bail, arraignment, trial, and sentencing) and what to expect. **It is important for you to know that pressing charges against the abuser is not your choice.** The county attorney will make that decision and will likely ask you to testify against the abuser.

Making a decision to report a domestic violence incident is difficult. Making a statement, signing a report, and giving court testimony

can be frightening and overwhelming. Advocates from your local domestic violence/sexual assault program can help explain the legal process and help you through the necessary procedures by providing you with emotional support, accompaniment to appointments and hearings, and referrals for legal assistance.

If a report is made and you become involved with the legal system, there are resources available to you. In addition to the local domestic violence/sexual assault programs, there are numerous victim witness units (“VWUs”) in Nebraska. Also called victim assistance programs, these agencies are usually part of the local police department or part of the county attorney’s office.

Victim witness units provide free services to victims of crime. They can assist someone with understanding the legal process, obtaining information about the case, assist with writing victim impact statements, and referrals to other organizations.

Victim witness units have different confidentiality requirements than the local domestic violence/sexual assault programs. Since victim witness units are linked with the legal system, information that you provide to the victim witness unit may be shared with law enforcement, the county attorney, or others within the court system.

A crime victim’s bill of rights and a list of the victim witness units in Nebraska can be found at the website of the Nebraska Coalition for Victims of Crime: www.nebraskacoalitionforvictimsofcrime.typepad.com

Other information for victims of crime is provided by the Nebraska Crime Commission. Their website: www.ncc.stat.ne.us includes information about the crime victims reparation program in Nebraska, the victim notification system, a victim’s guide to the Nebraska criminal justice system and more.

Domestic abuse protection orders

Under Nebraska’s Protection From Domestic Abuse Act, you can file for a protection order. This order is available to the following individuals who have been subjected to abuse as defined in the Act: spouses or former spouses; persons who are not married but

are living together or who have lived together in the past; persons who have a child in common whether or not they have been married or have lived together at any time; individuals related by blood or affinity (in-laws, for example); and individuals who are presently involved in a dating relationship or have been involved in a dating relationship with each other.

A domestic abuse protection order can:

- Forbid the abuser from restraining you,
- Forbid the abuser from threatening or assaulting you,
- Forbid the abuser from contacting you,
- Remove and exclude the abuser from your residence, regardless of ownership of the residence,
- Order the abuser to stay away from certain locations, such as work,
- Grant you temporary custody of your children,
- Forbid the abuser from possessing or purchasing a firearm, and
- Order other relief which is considered necessary to provide for your safety and well-being, or the safety and well-being of any designated household or family member.

It is important to know that although a protection order may allow you to obtain temporary custody of your children, the custody provision will only last up to 90 days. If you do not have legal custody of your children and you believe your partner may attempt to take the children, contact an attorney as soon as possible to proceed with divorce, legal separation, paternity or other court action to deal with the issues of custody and child support.

If you are interested in applying for a protection order, the forms and instructions can be found online through the Nebraska Online Legal Self-Help Center: <http://court.nol.org/self-help/> The forms are also available at the clerk of the district court's office or the local domestic violence/sexual assault program has the forms and can

explain and assist with the filing process. However, they cannot provide legal advice. You should not be charged a fee for filing a protection order nor for subsequent court appearances (should they be necessary).

You can file for a protection order without filing for divorce. You do not need to hire an attorney to file for a protection order, though you may hire an attorney to assist you, if you wish. The information on the Nebraska Online Legal Self-Help Center is not meant to be a substitute for legal advice.

Although protection orders can be very useful and necessary, they do have their limitations. As you are probably well aware, the abuser may or may not be deterred by a court order, and could still assault you before you are able to call law enforcement for assistance. You may want to discuss other options for your safety with an advocate from the local domestic violence/sexual assault program.

Divorce

Divorce is the dissolution of marriage. Divorce actions decide issues of child custody, child support, alimony, division of property and division of debts. Nebraska has a “no-fault” divorce statute which means it is not necessary to prove one party caused the breakup of the marriage or is at fault. Divorce proceedings are lawsuits that begin with filing a petition in district court.

The spouse who files the petition is the “petitioner” and the other spouse is the “respondent.” A petition is simply a sworn statement to the court stating that the marriage is irretrievably broken and certain rights as to property and children must be determined.

You must wait 60 days after your spouse has been given notice of the proceedings before the court can hold a final hearing (or trial) on the divorce. If at the trial, the judge determines that your marriage is in fact irretrievably broken, they will sign a decree so stating. This decree is final 30 days after the date it is issued; however, neither party may marry until 6 months after the decree is issued.

Legal separation

Legal separation is a method where a married couple lives separate and apart. It provides for the division of property, temporary custody of minor children, and child support. Essentially, you can get the same legal provisions you would in a divorce proceeding without dissolving the marriage. If you decide before the final hearing that divorce is what you want, your attorney can petition the court for a change in the decree.

If you decide you want a divorce after a decree for legal separation is entered, a new divorce action will have to be filed. Legal separation is used most often by people who;

- 1) Have religious objections to a divorce;
- 2) Are not sure they want a divorce, but the situation is too volatile for the person to continue living with the partner; or
- 3) Have not met the one year state residency requirement for divorce.

*After a while you learn the subtle difference
Between holding a hand and chaining a soul,
And you learn that love doesn't mean learning
And company doesn't mean security,
And you begin to learn that kisses aren't contracts
And presents aren't promises.
And you begin to accept your defeats
With your head up and your eyes open,
With the grace of a woman and not the grief of a child.
And you learn to build all your roads on today
Because tomorrow's ground is too uncertain for plans,
And futures have a way of falling down in mid-flight.
After a while you learn
That even sunshine burns if you get too much.
So you plant your own garden and decorate your own soul,
Instead of waiting for someone to bring you flowers.
And you learn that you really can endure...
That you really are strong.
And you really do have worth.
And you learn and learn...
With every goodbye you learn.*

~ AN ANONYMOUS SURVIVOR ~

SERVICES IN NEBRASKA

The following services are the core services offered by the Nebraska Network of Domestic Violence and Sexual Assault Programs. Some programs may offer additional services.

24-hour crisis line

Confidential support, information and access to services are available 24 hours each day by calling the program in your area.

Emergency shelter

Providing a safe place to stay is an important service of the programs. Using a combination of shelters, hotels and other options, programs offer people a place to escape further violence.

Transportation

Emergency transportation to a shelter is available 24 hours a day. Programs may also provide transportation to court proceedings, medical services or to other community agencies.

Medical advocacy and referrals

Staff and volunteers are available on request to accompany survivors to hospital emergency rooms and local medical offices for treatment of injuries or an exam following a sexual assault.

Legal referrals and assistance with protection orders

Although programs cannot give legal advice, they can provide assistance with obtaining a domestic abuse protection order, emotional support through court proceedings, and referrals to local attorneys.

On going support and information

Individual ongoing support is provided to survivors. Support groups for survivors of domestic violence and sexual assault are available in many communities. Some programs offer groups for teens experiencing, abuse, as well as child witnesses and adult survivors of childhood abuse. Some programs also offer educational groups for people who batter.

Education and prevention programs

Prevention programs are provided for children and young adults on topics such as child sexual abuse, sexual assault, dating violence, stalking, and healthy relationships. Staff and volunteers are also available for presentations to community groups and other organizations.



NEBRASKA NETWORK OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROGRAMS

Bright Horizons

(Counties served: Antelope, Boyd, Holt, Knox, Madison, Pierce, Stanton)

P.O. Box 1904, Norfolk, NE 68702

(877) 379-3798

www.brighthorizonsne.org

Catholic Charities - The Shelter

(County served: Douglas)

P.O. Box 4346, Omaha, NE 68104

(402) 558-5700

www.ccomaha.org

Center for Sexual Assault & Domestic Violence Survivors

(Counties served: Boone, Butler, Colfax, Nance, Platte, Polk)

P.O. Box 42, Columbus, NE 68602

(800) 658-4482

www.centerforsurvivors.net

Crisis Center for Domestic Abuse/Sexual Assault

(Counties served: Burt, Cuming, Dodge, Saunders, Washington)

P.O. Box 622, Fremont, NE 68026

(888) 721-4340

www.crisiscenterfremont.com

The Crisis Center, Inc.

(Counties served: Hall, Hamilton, Howard, Merrick)

P.O. Box 5885, Grand Island, NE 68802

(866) 995-4422

www.gicrisis.org

Domestic Abuse/Sexual Assault (DA/SA) Services

(Counties served: Chase, Dundy, Frontier, Furnas, Hayes, Hitchcock, Red Willow)

P.O. Box 714, McCook, NE 69001

(877) 345-5534

www.dasas.net

DOVES Program

(Counties served: Box Butte, Banner, Cheyenne, Dawes, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux)

P.O. Box 98, Gering, NE 69341

(866) 953-6837

www.dovesprogram.com

Friendship Home

(County served: Lancaster)
P.O. Box 85358, Lincoln, NE 68501
(402) 437-9302
www.friendshiphome.org

Haven House Family Service Center

(Counties served: Cedar, Dakota, Dixon, Thurston, Wayne)
P.O. Box 44, Wayne NE 68787
(800) 440-4633
www.havenhousefsc.com

Healing Hearts and Families

(Counties served: Blaine, Custer, Garfield, Greeley, Loup, Sherman, Valley, Wheeler)
P.O. Box 96, Broken Bow, NE 68822
(800) 942-4040

**Heartland Family Service Domestic Abuse/
Sexual Assault Program**

(Counties served: Cass, Sarpy)
302 American Parkway, Papillion, NE 68046
(402) 292-5888 or (800) 523-3666
www.heartlandfamilyservice.org

Hope Crisis Center

(Counties served: Fillmore, Gage, Jefferson, Saline, Seward, Thayer, York)
P.O. Box 365, Fairbury, NE 68352
(877) 388-HOPE (4673)
www.hopecrisiscenter.org

**North Central Quad County Domestic Violence/
Sexual Assault Services**

(Counties served: Brown, Cherry, Keya Paha, Rock)
P.O. Box 224, Valentine, NE 69201
(877) 376-2080

Parent-Child Center

(Counties served: Dawson, Gosper)
P.O. Box 722, Lexington, NE 68850
(800) 215-3040
(866) 351-9594 en español
www.dawsoncountyne.net/pcc/

Project Response

(Counties served: Johnson, Nemaha, Otoe, Pawnee, Richardson)
P.O. Box 213, Auburn, NE 68305
(800) 456-5764

Rape/Domestic Abuse (RDAP) Program

(Counties served: Hooker, Lincoln, Logan, McPherson, Thomas)
P.O. Box 393, North Platte, NE 69103
(888) 534-3495
www.nprdap.org

The S.A.F.E. Center

(Counties served: Buffalo, Franklin, Harlan, Kearney, Phelps)
3710 Central Avenue Suite 10, Kearney, NE 68847
(877) 237-2513
www.safecenter.org

Sandhills Crisis Intervention Program (SCIP)

(Counties served: Arthur, Deuel, Garden, Grant, Keith, Perkins)
P.O. Box 22, Ogallala, NE 69153
(308) 284-6055
www.scip.biz

Spouse Abuse/Sexual Assault (SASA) Crisis Center

(Counties served: Adams, Clay, Nuckolls, Webster)
220 S Burlington Suite 4, Hastings, NE 68901
(877) 237-2513 or (402)463-4677
www.sasacenter.org

Voices of Hope

(County served: Lancaster)
2545 N Street, Lincoln, NE 68510
(402) 475-7273
www.voicesofhopelincn.org

Women's Center for Advancement (WCA)

(County served: Douglas)
222 South 29th Street, Omaha, NE 68131
(402) 345-7273
(402) 672-7118 en español
www.wcaomaha.org

NATIVE AMERICAN TRIBES AND DOMESTIC VIOLENCE AND SEXUAL ASSAULT SERVICES

In addition to the Nebraska's Network of Domestic Violence and Sexual Assault Programs, there are four tribal entities in Nebraska that provide services to victims of domestic and sexual violence.

Omaha Tribe of Nebraska

Omaha Nation Abuse Intervention Project
P.O. Box 368, Macy, NE 68039
(402) 837-4050 or (402)837-4103

Ponca Tribe of Nebraska

Ponca Tribe of Nebraska Domestic Violence Program
1800 Syracuse Avenue, Norfolk, NE 68701
(402) 371-8834 – Norfolk area
(402) 857-3341 – Niobrara area
(402) 438-9222 – Lincoln area
(402) 734-5275 – Omaha area
(712) 258-0500 – Sioux City area

Santee Sioux Nation

Otokahe Teca Tipi
Rt 2 Box 5254, Niobrara, NE 68760
(402) 857-2316

Winnebago Tribe of Nebraska

Domestic Violence Intervention / Family Preservation Program
P.O. Box 645, Winnebago, NE 68071
(402) 878-4308

STATE AND NATIONAL HOTLINES

Línea de Crisis en Nebraska (en español)

24-hour Crisis Line

(877) 215-0167

National Domestic Violence Hotline

24-hour Crisis Line

(800) 799-SAFE (7233)

www.thehotline.org

National Sexual Assault Hotline

24-hour Crisis Line

(800) 656-HOPE (4673)

www.rainn.org

National Teen Dating Abuse Helpline

24-hour Crisis Line

(866) 331-9474

www.loveisrespecting.org

**Nebraska Child Abuse and Vulnerable
Adult Abuse Reporting Hotline**

(800) 652-1999

For additional information and
copies of this publication:

**Nebraska Domestic Violence
Sexual Assault Coalition**

(402) 476-6256

www.ndvsac.org

The Nebraska Domestic Violence Sexual Assault Coalition enhances safety and justice by changing the beliefs that perpetuate domestic violence and sexual assault. We envision a world where domestic violence and sexual assault are a distant memory and healthy relationships prosper.

The Nebraska Domestic Violence Sexual Assault Coalition is a statewide advocacy organization that provides information, support and guidance by:

- Working with the local network of domestic violence and sexual assault programs;
- Working with other organizations to enhance responses to victims and perpetrators and prevent violence from occurring;
- Providing training on the regional, statewide and national levels;
- Disseminating educational materials; and
- Working to ensure that laws and public policy initiatives support victims and hold perpetrators accountable.

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For additional information, visit: http://dhhs.ne.gov/children_family_services/Pages/nea_domestic.aspx

NOTES
