

# THE HEALING PATH

**A Guide for Survivors of Relationship  
Abuse**

*Published by*  
Kent County Domestic Violence Community  
Coordinated Response Team (DVCCRT)  
[www.stopkentviolence.org](http://www.stopkentviolence.org)

THE HEALING PATH can also be found online at:  
[www.healingpathguide.org](http://www.healingpathguide.org)

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## Chapter One: Information on Relationship Abuse

### Introduction

This booklet contains information that will help you recognize abuse and to find support, safety, and resources that can help you. There is help and there is hope.

Relationship abuse is a pattern of controlling behaviors in a relationship, that can include physical abuse, sexual abuse, coercion, emotional and verbal violence, isolation, threats, stalking, and/or intimidation. These behaviors are used by one person in an intimate relationship to control the other. Individuals may be dating, have or had an intimate relationship, married, engaged, living together or separated.

You may identify with some or many of the mentioned types of abusive behaviors, but you do not have to identify with all of them in order for your relationship to be considered abusive.

While it is hard to understand why the person you love would hurt you, you are not alone. About one out of every four women and one out of every seven men will experience relationship violence.

Abuse can happen to anyone regardless of race, religion, color, sex, ancestry, gender, gender identity, sexual orientation, age, military status, disability, national origin, medical condition, pregnancy, family or marital statuses, or socio-economic status.

There are people who can help and we hope this booklet can be a first step toward safety and healing.

## Examples of Abusive Tactics

### Emotional/Verbal Abuse

Emotional abuse can be difficult to describe and is sometimes very subtle. Here are some examples.

- Forcing sleep deprivation
- Continually criticizes or calls names
- Humiliates in public or private
- Threatens harm or suicide if relationship ends
- Lies/contradicts, plays mind games
- Blames you and others for everything
- Withholds access and information about important matters
- Destroys property or threatens to kill pets

### Physical Abuse

Some abusers try not to leave visible wounds. Here are some examples of physical abuse:

- Pushes, kicks, bites
- Hits, slaps, punches, strangles/chokes
- Throws objects or destroys your property
- Drives recklessly to frighten you
- Uses weapons to intimidate and threaten
- Blocks exits or corners you with their body

### Sexual Abuse

Sexual abuse is common in abusive relationships and is often the most difficult aspect of abuse to talk about. Here are some examples of sexual abuse:

- Forces unwanted sexual acts
- Accuses partner of cheating/constant jealousy
- Commits painful or cruel acts
- Withholds intimacy as a punishment
- Constantly criticizes partner with sexual put-downs
- Endangers partner's sexual health with unprotected sex
- Becomes angry or threatening if you refuse sex

## Book Resources, continued

### Resources for Family/Friends

*Family and Friends Guide To Domestic Violence: How To Listen, Talk and Take Action when someone you care about is being abused.* Elaine Weiss.

*To Be an Anchor in the Storm: A Guide for Families and Friends of Abused Women.* Susan Brewster.

### Religious Resources

*Abuse and Religion: When Praying Isn't Enough.* Anne Horton and Judith Williamson.

*Keeping the Faith: Guidance for Christian Women Facing Abuse.* Marie Fortune.

*No Place for Abuse: Biblical and Practical Resources to Counteract Domestic Violence.* Catherine Clark Kroeger.

*Refuge from Abuse: Healing and Hope for abused Christian Women.* Catherine Clark Kroeger and Nancy Nason Clark.

*Violence in Families: What Every Christian Needs to Know.* Al Miles.

## Book Resources

*No Visible Bruises: What we don't know about domestic violence can kill us.* Rachel Louise Snyder

*Why Does He Do That?: Inside The Minds Of Angry and Controlling Men.* Lundy Bancroft.

*Chain Chain Change: For Black Women Dealing with Physical and Emotional Abuse.* Evelyn White.

*The Emotionally Abused Woman.* Beverly Engel.

*Mejor Sola Que Mal Acompañada: For the Latina in an Abusive Relationship.* Myrna Zambrano.

*Naming the Violence: Speaking Out Against Lesbian Battering.* Kerry Lobel.

*The Verbally Abusive Relationship.* Patricia Evans.

*Woman to Woman Sexual Violence: Does She Call it Rape?* Lori Girshick

*It's My Life Now: Starting Over After an Abusive Relationship or Domestic Violence* - Meg Kennedy Dugan & Roger R. Hock

## Reading Resources for Parents

*But I love Him: Protecting Your Teenage Daughter from Controlling, Abusive Dating Relationships.* Dr. Jill Murray.

*Ending the Cycle of Violence: Community Response to Children of Battered Women.* Peter Jaffe; Nancy Lemon; Jack Sandler and David Wolfe.

*In Love and In Danger: A Teens Guide to Breaking Free of Abusive Relationships.* Barrie Levi. (also available in Spanish)

*The Batterer as Parent: Addressing the Impact of Domestic Violence on Family Relationships.* Lundy Bancroft.

*What Parents Need to Know about Dating Violence.* Barrie Levy and Patricia Occhiuzzo Giggans.

*When Dad Hurts Mom: Helping Your Children Heal From Domestic Violence.* Lundy Bancroft.

## Examples of Abusive Tactics, continued

If your partner has sex with other people and then has unprotected sex with you, you are at risk of getting a sexually transmitted infection. If you are concerned about this possibility, please see your doctor or a health care professional. If you are uninsured or underinsured, you can make an appointment with the Health Department to obtain testing for STI and STD's. Information shared with medical personnel is confidential.

## Spiritual Abuse

Some abusers will use scripture or faith to justify their abusive behavior. There are many books and resources that address faith and domestic abuse (see chapter three).

- Misinterprets scripture to justify abusive, dominating, or other oppressive behavior(s)
- Forces partner to violate religious practices
- Isolates partner from access to places of worship

## Signs that Indicate Lethal Abuse

Abusers can be unpredictable. Escalation in intensity of violence and/or frequency of abuse can occur without warning.

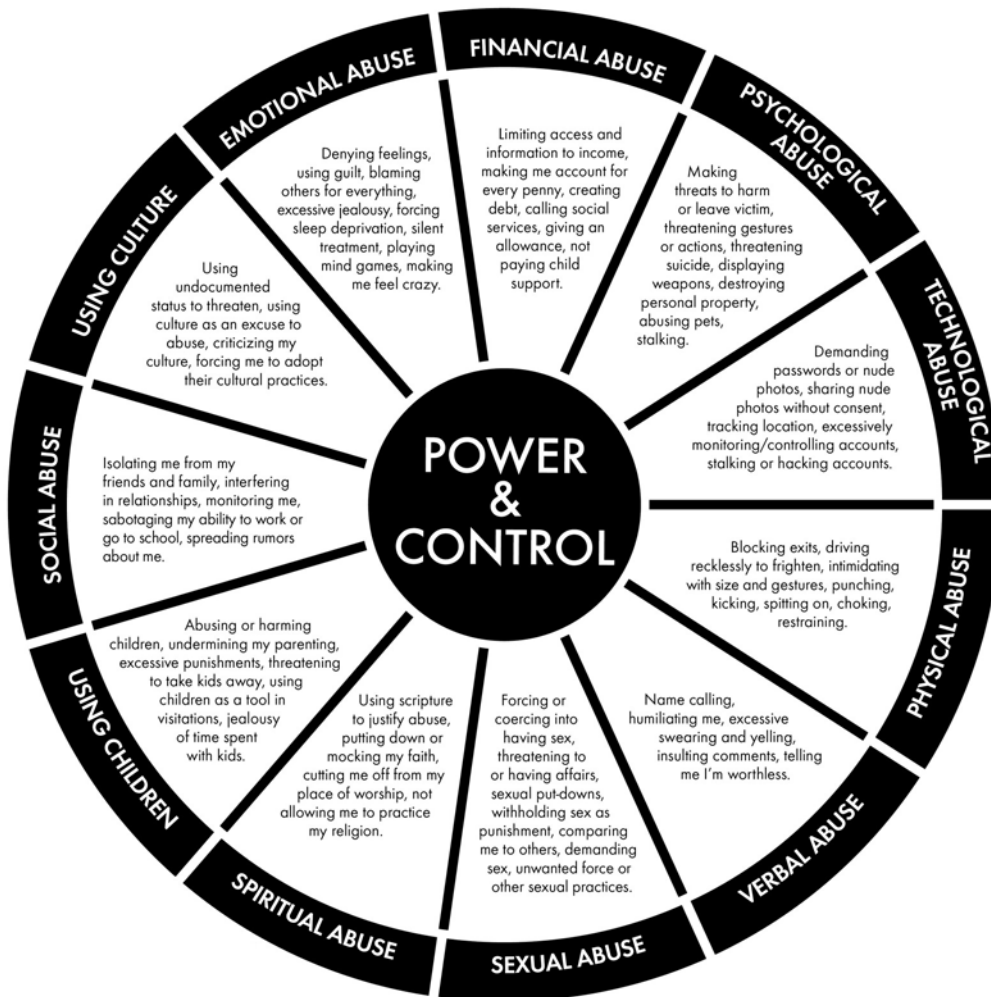
These indicators can help you identify some signs of life-threatening danger. Please refer to the Safety Planning section (page 16) immediately if these factors are present.

- Do they own or have access to a gun?
- Have you left them after living together?
- Have they threatened to kill you?
- Do they use illegal drugs or misuse alcohol? Does the violence intensify when using?
- Do they attempt to, or have they choked (strangled) you? Have you lost consciousness?
- Do you believe they are capable of killing you?
- If you have left before, does your partner stalk you or make attempts to find you?

## Power and Control Wheel

An abuser's belief in their entitlement to power and control is at the root of all forms of abuse. The tactics are used by abusers to maintain that control.

Often, a victim will experience more than one form of violence. Here are some common experiences of individuals who experience abuse in their relationship.



## Web Resources

*Michigan Coalition to End Domestic and Sexual Violence*  
[www.mcedsv.org](http://www.mcedsv.org)

*National Coalition Against Domestic Violence*  
[www.ncadv.org](http://www.ncadv.org)

*Love is Respect*  
[www.loveisrespect.org](http://www.loveisrespect.org)

*Incite-Women of Color Against Violence*  
[www.incite-national.org](http://www.incite-national.org)

*Casa de Esperanza*  
[www.casadeesperanza.org](http://www.casadeesperanza.org)

*National Indigenous Women's Resource Center*  
[www.niwrc.org](http://www.niwrc.org)

*Northwest Network of Bisexual, Trans, Lesbian & Gay Survivors of Abuse*  
[www.nwnetwork.org](http://www.nwnetwork.org)

*A Call to Men*  
[www.acalltomen.org](http://www.acalltomen.org)

*Futures Without Violence*  
[www.futureswithoutviolence.org](http://www.futureswithoutviolence.org)

*Faith Trust Institute*  
[www.faithtrustinstitute.org](http://www.faithtrustinstitute.org)

*FOCUS Ministries*  
[www.focusministries1.org](http://www.focusministries1.org)

*Kent County Domestic Violence Community Coordinated Response Team*  
[www.stopkentviolence.org](http://www.stopkentviolence.org)



## Prosecutors and City Attorneys

### GRAND RAPIDS

**City of Grand Rapids—Criminal  
City Attorney's Office** 632-5720  
180 Ottawa NW, Ste. 1200, GR, MI 49503

**Kent County Prosecutors Office** 632-6710  
82 Ionia NW, Ste. 450, GR, MI 49503

\*\*The Kent County Prosecutor's Office reviews criminal cases throughout Kent County. In locations with a city attorney, some criminal cases are reviewed and handled by that office.

### DISTRICT COURTS—KENT COUNTY

**59<sup>th</sup> District Court** (covering Grandville and Walker)  
Grandville Court 538-9660  
3161 Wilson Ave SW, Grandville, MI 49418

**61<sup>st</sup> District Court** (covering City of Grand Rapids) 632-5525  
180 Ottawa NW, Ste. 1400, GR, MI 49503

**61<sup>st</sup> District Court Domestic Violence Program** 632-5643  
Suite 5500

**62-A District Court** (covering the City of Wyoming) 530-7385  
2650 DeHoop Ave SW, Wyoming, MI 49509

**62-B District Court** (covering the City of Kentwood) 698-9310  
4740 Walma Street, Kentwood, MI 49512

**63rd District Court** (all county cases and East Grand Rapids)

**Walker Court** 453-5765  
4343 Remembrance NW, Walker, MI 49544

### CIRCUIT COURT

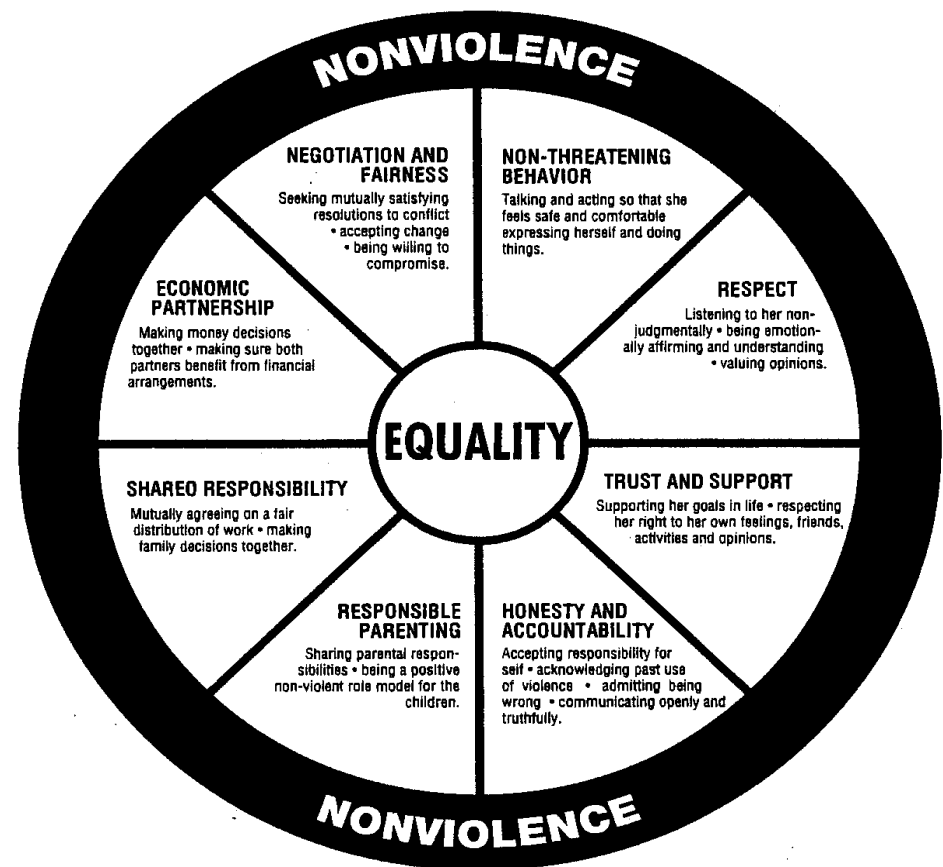
**17th Circuit Court** 632-5220  
180 Ottawa NW, Grand Rapids, MI 49503

Also check [accesskent.org](http://accesskent.org) for more information

## Equality Wheel

This wheel demonstrates characteristics of a healthy relationship based on equality. Healthy relationships will have moments of stress or differences of opinion, but the equality wheel gives examples of healthy ways to communicate through these issues. It includes strategies to share parenting and/or household responsibilities, working through conflict and making decisions about finances.

© Domestic Abuse Intervention Project, Duluth, MN.



## Relationship Abuse and Children

90% of parents who are currently experiencing relationship violence believe their children don't know what's happening. However, when researchers asked children, 90% of them were well aware of the abuse that was occurring.

### Effects on Children

Children who live in homes where violence takes place may exhibit a number of common reactions. These include:

- Fear
- Anxiety
- Depression and sadness
- Loss of hope for the future
- Act out aggressively, act tough, provoke fights
- School problems including difficulty learning, concentrating, and remembering
- Social isolation, difficulty making friends
- Difficulty trusting others
- Sleep problems, afraid to sleep alone
- Nightmares
- Stress-related health problems such as headaches, stomachaches, and fatigue
- Act impulsively
- Withdraw, show little emotion
- Take on the role of protector of abused parent

Experiences in childhood can have long-lasting effects. As adults, children who witness domestic violence often continue to feel the impact. They may:

- Commit violence and/or abuse
- Enter unhealthy relationships and experience abuse as an adult
- Have alcohol and other substance use difficulties
- Experience depression and have difficulty expressing emotions

In addition to the emotional turmoil that witnessing domestic violence can cause, it can also endanger children. Children often:

- Attempt to intervene during the violence
- Get hurt during a violent incident
- Have their needs forgotten
- Are threatened

## Police, Legal, and Other Community Resources

<i>POLICE</i>	<i>EMERGENCY</i>	<i>BUSINESS</i>
Cedar Springs Police Department 66 S. Main, Cedar Springs, MI 49319 <a href="http://www.cityofcedarsprings.org/departments/police-department/">www.cityofcedarsprings.org/departments/police-department/</a>	911	696-1311
East Grand Rapids Public Safety 770 Lakeside Drive SE, EGR, MI, 49506 <a href="http://www.eastgr.org">http://www.eastgr.org</a>	911	949-7010
Grand Rapids Police Department 1 Monroe Center NW, GR, MI 49503 <a href="http://grcity.us/police-department/Pages/default.aspx">http://grcity.us/police-department/Pages/default.aspx</a>	911	456-3403
Grandville Police Department 3181 Wilson SW, Grandville, MI 49418 <a href="http://www.cityofgrandville.com/departments/police">http://www.cityofgrandville.com/departments/police</a>	911	538-6110
Kent County Sheriff's Department 701 Ball NE, GR, MI, 49503 <a href="http://www.accesskent.com/Sheriff/">www.accesskent.com/Sheriff/</a>	911	632-6100
Kentwood Police Department 4742 Walma Ave SE, Kentwood, MI 49512 <a href="http://www.ci.kentwood.mi.us/police/">http://www.ci.kentwood.mi.us/police/</a>	911	698-6580
Lowell Police Department 111 North Monroe, Lowell, MI 49331 <a href="http://www.ci.lowell.mi.us/police.asp">http://www.ci.lowell.mi.us/police.asp</a>	911	897-7123
Michigan State Police Rockford Post 345 Northland Dr. NE, Rockford, MI 49341 <a href="http://www.michigan.gov/msp">www.michigan.gov/msp</a>	911	866-4411
Rockford Police Department 7 S. Monroe, Rockford, MI 49341 <a href="http://www.rockford.mi.us/services/public-safety/police">www.rockford.mi.us/services/public-safety/police</a>	911	866-9557
Sparta Police Department 260 West Division Sparta, MI 49345	911	887-8716
Walker Police Department 4243 Remembrance NW, Walker, MI 49544 <a href="http://www.ci.walker.mi.us/Departments/Police/DepartmentOverview.htm">http://www.ci.walker.mi.us/Departments/Police/DepartmentOverview.htm</a>	911	453-5441
Wyoming Police Department 2300 DeHoop SW, Wyoming, MI 49509 <a href="http://www.ci.wyoming.mi.us/Police/police.asp">http://www.ci.wyoming.mi.us/Police/police.asp</a>	911	530-7300

**ELDER ABUSE**

<b>Adult Protective Services</b> Toll Free Statewide 24/7	855-444-3911
<b>Senior Neighbors</b> 333 Division Ave S, Suite 100 www.seniorneighbors.org Grand Rapids, MI 49503	616-459-3040
<b>Area Agency on Aging West Michigan</b> 3215 Eaglecrest Dr NE www.aaawm.org Grand Rapids, MI 49525	616-456-5664
<b>Long Term Care Ombudsman</b>	616-245-9451
<b>Wyoming Senior Center</b> 2380 Dehoop SW www.facebook.com/wyomingseniorcenter Wyoming, MI	616-530-3190
<b>GRCC Older Learning Center</b> 143 Bostwick NE www.grcc.edu.olg Grand Rapids, MI 49503	616-243-3983
<b>Senior Meals Program</b> 2900 Wilson Ave SW #500 www.seniormealsonwheels.org Grandville, MI 49418	616-459-3111
<b>Kent County Elder Abuse Coalition</b> www.protectkentseniors.org	616-456-5664
<b>Alzheimer's Association</b> 2944 FULLER NE, Suite 101 www.alz.org/gmc Grand Rapids, MI 49505	616-454-4558

**Relationship Abuse and Children, continued****Helping Children Heal**

Caregivers can help children cope with the confusing emotions they experience after witnessing relationship abuse. Caregivers should attempt to:

- Create an environment that is safe and predictable
- Make an effort to establish and keep structure/routine
- Be nurturing and comforting
- Teach children appropriate ways to respond when they feel overwhelmed, sad, angry, worried, and/or anxious
- Encourage physical play every day
- Reduce exposure to violent or scary TV, movies, and video games
- Encourage healthy eating routines
- Establish boundaries within the family
- Let children know when you are running late/will be home late
- Give children choices
- Be patient with difficulties in concentration, completing school work and other tasks
- Avoid physical punishment/avoid responding to children in anger or ways that result in them feeling fearful
- Provide safe ways for children to discharge their anger
- Provide soothing activities before bedtime

Children can learn to stay safe. Parents should teach their children to:

- Keep away from the fighting
- Get out of the home safely
- Find a trusted adult to talk to
- Go to a neighbor's home or other safe place
- Know their name, address and phone number
- Know how to call 911

It is important for children to know that:

- The violence is never their fault
- Violence by one parent against the other is never okay
- You want them to be safe and not attempt to intervene
- They are not alone
- There is a safety plan that you have practiced with them

## Challenges Facing Survivors

While in an abusive relationship, decisions are often difficult to make. Your partner may make promises to change. Maybe they apologize after using abusive tactics and show behaviors that are caring and loving. They may make threats to hurt you or your children/family even worse if you leave. As you consider next steps, you will likely have questions: If they quit drinking, will the abuse stop? Am I doing something wrong? If I change, will things get better? The answer to all of these questions is “no.” Alcohol is an excuse for abusive behavior, not the reason someone abuses. You are not responsible for someone’s abusive behavior, regardless of how much you are told that you are.

Recognizing some facts about relationship abuse may lead you to re-evaluate your situation and begin considering changes you want in your life. If you decide to leave, you might face some of these challenges: safety, finding a place to stay, changing jobs or going back to work, income, child-care, having to get an attorney and/or going to court. These tasks might seem stressful or overwhelming, but they are only challenges, not impossibilities. You are worth it! If you have children, they are worth it!

The support of domestic violence advocates, counselors, and support groups are available to you (and your children) whether you are considering leaving or simply want to learn more and have the support of people who understand the unique dynamics abuse plays in relationships.

### If You Are An Older Woman

You may be isolated or dependent on the person abusing you. You may have been in a relationship or marriage so long that it is the only life with which you are familiar. You have the right to be safe and to live your life without abuse.

### If You Are a Person of Color

You likely have experiences with oppression, stereotyping, racism, or a lack of response. You may have doubts about help that is available to you. Help *is* available and you are not alone.

### If You Are a Person with a Disability

The person who is supposed to be taking care of you may be the same person who uses abuse against you. Perhaps things are even more complicated because there are legal and financial issues. Sometimes abusers isolate you from friends and family. They may block access to needed medical supports or interfere with your communication. They may even refuse help or transportation. These are control tactics and you deserve better. There are legal remedies and people who are ready to help you.

## Resources, continued

### SPANISH SPEAKING SERVICES

**Hispanic Center of West Michigan**  
1204 Grandville SW, GR, MI 49503  
[www.hispanic-center.org](http://www.hispanic-center.org) 742-0200

**Safe Haven Ministries**  
2627 Birchcrest Dr. SE, GR, MI 49506  
[www.shmgr.org](http://www.shmgr.org)  
24-Hour Hotline 452-6664  
Emergency Safe Shelter 452-6664  
Counseling & Support Groups 452-6664

**YWCA**  
25 Sheldon Blvd SE, GR, MI 49503  
[www.ywcawcmi.org](http://www.ywcawcmi.org)  
24-hour Hotline and Domestic Crisis Center 451-2744  
Counseling and Support Groups 459-4652  
Transitional Housing (Project H.E.A.L.) 459-4652  
24-hour Nurse Examiner Program 776-7273

### ADDITIONAL SERVICES AND REFERRALS

First Call for Help 211 or 459-6281

**Network 180**  
790 Fuller Ave. NE, GR, MI 49503  
[www.network180.org](http://www.network180.org) 336-3909  
1-800-749-7720

### EMERGENCY SHELTER FOR PETS

**Humane Society of Kent County**  
3077 Wilson NW, GR, MI 49534  
<http://hskc.org/> 453-7757

**Resources, continued****YOUTH**

**Child Protective Services**  
121 Franklin SE, GR, MI 49507 248-9600

**Family Futures**  
678 Front Ave. NW #210, GR, MI 49504 454-4673  
[www.familyfutures.net](http://www.familyfutures.net)

**Fountain Hill Center**  
534 Fountain NE, GR, MI 49503 456-1178  
[www.fountainhillcenter.org](http://www.fountainhillcenter.org)

**HQ Runaway & Homeless Youth Drop-In Center**  
320 State Street SE, GR, MI 49503 406-3945  
[www.hqgr.org](http://www.hqgr.org)

**SEXUALLY TRANSMITTED INFECTIONS**

**Kent County Health Department**  
700 Fuller NE, GR, MI 49503 632-7100  
<http://www.accesskent.com/Health/HealthDepartment/>

**HIV/AIDS Services**  
343 Atlas SE, GR, MI 49506 456-9063  
<http://www.hasinc.org/index.htm>

**Planned Parenthood Centers of West MI**  
425 Cherry SE, GR, MI 49503 459-3101  
<http://www.ppwnm.org/>

**SEXUAL ASSAULT SERVICES**

**National Sexual Assault Hotline** 1-800-656-HOPE

**Children's Assessment Center**  
901 Michigan NE, GR, MI 49503 336-5160

**YWCA Sexual Assault Program / Nurse Examiner Program**  
25 Sheldon SE, GR, MI 49503 776-RAPE

**EMPLOYMENT SERVICES**

**Women's Resource Center**  
678 Front NW, GR MI 49504 458-5443  
<http://www.grwrc.org/index.php>

**Challenges Facing Survivors, continued****If You Are an LGBTQIA+ Survivor:**

You may fear discrimination or lack of support from many systems: legal, employment, social, and faith groups. You may fear being outed when you are not ready. You may have specific legal questions as they pertain to parenting and custody issues. You have a right to help, safety and confidentiality.

**If You Are a Person of Faith**

You may be looking to your faith community and/or your religious beliefs to help you through an abusive relationship. You may have experienced a community of believers that have not been trained to understand domestic abuse, and perhaps you feel your needs were not met. Do not give up. There are people and resources from your tradition or denomination that speak against violence and seek to support you.

**If You Are an Immigrant and/or Undocumented**

You may be controlled by an abuser who has legal status or threatens to have you deported. You may have limited access to employment, housing, and resources, or have a language barrier. There are people to help you file for legal status and help answer your legal questions.

**If You or the Abuser Are Under 18 Years Old**

Abuse and violence are very real and teen dating violence is serious. While there are some different rules when either one of you is under 18, confidential help is still available. If you are under 18, you are still eligible to many protections and can even file for a Personal Protection Order.

**Why Do Individuals Abuse?**

This is a good question and a hard one to answer. Some people who abuse have grown up in homes where they were abused or saw abuse taking place in their parent's relationship. Some people believe that they have a right to control their partner. Some individuals blame their partner for everything that goes wrong and then feel justified to hurt them. Many excuses might be used to use abusive tactics, but the reality is that each person makes a choice to abuse.

If someone is abusing you, *it is not your fault*. People who abuse and control others are responsible for their own behavior. If the behavior is learned, it can be unlearned with a desire to change and appropriate treatment.

## Why Do Individuals Abuse?, continued

Many people who abuse their partner show these signs of an abusive personality:

- Have used violence against a previous partner
- Believe in rigid sex roles
- Unrealistic expectations of their partner
- Pressure to commit quickly to a relationship
- Intense jealousy
- Believe that you belong to them
- Cruelty or harsh punishment to animals
- Extreme differences in mood
- Attempts to control where you go, what you do, and who you see
- Nonconsensual force during sex
- Believe that their use of violence is your fault
- Hypersensitivity
- Blaming others for their problems or feelings
- Any force during an argument

The behaviors, attitudes, and beliefs that go into abusing an intimate partner are hard to change. Some people do not recognize that they have a problem until they are arrested or their partner leaves. Others never take responsibility for their use of violence.

### What About Relationship/Marriage Counseling?

Couples counseling is not recommended for many reasons. One reason is that you may feel safe in counseling sessions to say things that you wouldn't normally say to or in front of your partner. This can often create an escalation of violence when you get home, when the safety of having a third party is not available.

Many couples/marriage counselors try to help by sharing responsibility for the problems between the partners. This may work in otherwise healthy relationships where each partner is motivated to change. However, when dynamics of domestic violence and power and control are at the core, this is not a shared responsibility between partners. Victims may not feel comfortable sharing what they are experiencing with their partner present and many counselors do not have the specific training to recognize power and control in a relationship, further may not have the skills to appropriately hold an abuser accountable and provide the necessary treatment.

Violence is only the responsibility of the person who is violent.

## Resources, continued

### LEGAL ASSISTANCE

**Friend of the Court**  
82 Ionia NW, Ste. 200, GR, MI 49503 632-6888  
[www.accesskent.com/CourtsAndLawEnforcement/FriendoftheCourt/foc\\_index.htm](http://www.accesskent.com/CourtsAndLawEnforcement/FriendoftheCourt/foc_index.htm)

**GRBA Lawyer Referral Service**  
161 Ottawa NW, Ste. 203B, GR, MI 49503 454-5500 ext 107  
[www.grbar.org](http://www.grbar.org)

**Justice for Our Neighbors** 301-7461  
207 E. Fulton, GR, MI 49503

**Legal Aid of West Michigan**  
89 Ionia NW, Ste. 400, GR, MI 49503 774-0672  
[www.legalaidwestmich.org](http://www.legalaidwestmich.org) 1-800-442-2777

**Legal Assistance Center** 632-6000  
180 Ottawa NW, Ste. 5100, GR, MI 49503  
[www.legalassistancecenter.org](http://www.legalassistancecenter.org)

**Migrant Legal Aid** 454-5055  
1104 Fuller Ave NE, GR, MI 49503 (800) 418-3390  
[www.migrantlegalaid.com](http://www.migrantlegalaid.com)

**Personal Protection Orders Office** 632-5071  
180 Ottawa NW, Ste. 3500, GR, MI 49503  
[http://www.accesskent.com/CourtsAndLawEnforcement/17thCircuitCourt/17cc\\_ppo.htm](http://www.accesskent.com/CourtsAndLawEnforcement/17thCircuitCourt/17cc_ppo.htm)

### CHILDREN AND TEENS SERVICES

**Arbor Circle—The Bridge** 451-3001  
1115 Ball NE, GR, MI 49505  
[www.arborcircle.org/children\\_teens.org](http://www.arborcircle.org/children_teens.org)

**Children's Assessment Center** 336-5160  
901 Michigan NE, GR, MI 49503  
[www.cac-kent.org/](http://www.cac-kent.org/)

### BATTERER INTERVENTION SERVICES

**Fountain Hill Center** 456-1178  
534 Fountain NE, GR, MI 49503  
[www.fountainhillcenter.com](http://www.fountainhillcenter.com)

**YWCA Men Choosing Alternatives to Violence** 459-4652  
25 Sheldon SE, GR, MI 49503  
[www.ywcawcmi.org](http://www.ywcawcmi.org)

## Chapter Three: Resources

### RELATIONSHIP ABUSE PROVIDERS

National Domestic Violence Hotline 1-800-799-SAFE

#### Safe Haven Ministries

2627 Birchcrest Dr. SE, GR, MI 49506

[www.shmgr.org](http://www.shmgr.org)

24-Hour Hotline 452-6664  
 Emergency Safe Shelter 452-6664  
 Counseling & Support Groups 452-6664

#### YWCA

25 Sheldon Blvd SE, GR, MI 49503

[www.ywcawcmi.org](http://www.ywcawcmi.org)

24-hour Hotline and Domestic Crisis Center 451-2744  
 Counseling and Support Groups 459-4652  
 Transitional Housing (Project H.E.A.L.) 459-4652  
 24-hour Nurse Examiner Program 776-7273

### RELATED RESOURCES

#### 61st District Court Victim Services

180 Ottawa NW, 5th Floor, GR, MI 49503

[www.grcourt.org](http://www.grcourt.org)

632-5643

#### Bethany Christian Services- Grand Rapids

901 Eastern Ave. NW, GR, MI 49503

800-238-4269

#### Domestic Assault Response Team (D.A.R.T.)

180 Ottawa NW, GR, MI 49503

632-5641

#### Kent County Victim Witness Unit

180 Ottawa NW, Ste. 5400, GR, MI 49503

632-5400

#### The Hispanic Center of Western Michigan

1204 Grandville Ave SW, GR, MI 49504

<http://www.hispanic-center.org>

742-0200

#### The Little River Band of Ottawa Indians- Justice Center

888-723-8288

## Relationship/Marriage Counseling, continued

Individual counseling is encouraged and an appropriate first step.

### Counseling for Abusers (Batterer Intervention Services)

Treatment for individuals who use power and control tactics should be done through abuser accountability. This is often done in a group setting. The goal is to teach individuals who abuse how physical, emotional, and sexual abuse hurts their partners and their children. Groups also hold individuals accountable for their behavior and provide a setting for positive change. Treatment is not a guarantee that an individual will change, but it is possible for abuse to be unlearned.

Abusers may enter these programs voluntarily, or they may be referred by their probation officer following an arrest. See chapter three for programs that offer this specific counseling.

### How Will I Know if They Are Really Changing?

Only your partner can make the decision to change. Signs that indicate they may be taking responsibility for their abuse and attempting to change include:

- They are no longer violent or threatening (to you or others).
- You don't feel afraid.
- They listen to what you have to say and respect your opinion, even if they don't agree with it.
- They understand that they are responsible for their abusive behavior and that change is a lifelong process.
- You don't have to get their permission in order to see friends, get a job, go to school, or act independently in other ways.
- They acknowledge that their abusive behavior is wrong.
- They understand that their abuse has affected you and accept the consequences of their behavior.
- They no longer live by double standards (they can express anger but you can't, they can go out with friends but if you do, they are constantly checking in and getting angry, etc.).
- They understand that they can't control you.
- They will wait as long as necessary for you to be able to trust them again. Treatment can often take well over a year, so not rushing the process is important.



## Safety Planning

Whether you have decided to stay in your relationship or leaving, there are things that you can do to help keep yourself safe. Every situation is different, and none of these steps are a *guarantee* of safety. You may want to create your own personalized safety plan with a domestic violence advocate who can help you.

### Safety Planning While IN the Relationship

- Plan different escape routes from your house should your partner become violent, and plan where to go if you need to stay away overnight.
- Hide spare keys and important documents in places where they are safe and where you could grab them and leave quickly.
- Try to get out of dangerous places during arguments (such as the kitchen where there are knives or where weapons are stored).
- Obtain a private post office box or use another address for confidential mail.
- Set code words with friends, relatives, or your children that indicate an emergency. Plan how they are to respond if you say the code word in person, text or over the phone.
- Keep a working phone in a room with a door that locks so that you can call for help in an emergency.
- Open a secret bank account so that you will have access to funds should you need to flee.
- Have access to a phone, keep cell phone charged at all times.
- Make contact with a domestic violence program. You may need emergency safe shelter or non-residential services. (See chapter three).

### Safety Planning When the Relationship is Over

- Obtain a Personal Protection Order (PPO) and keep a copy with you at all times.
- Change your common routes to work, stores, etc.
- Photocopy important documents.
- Change or re-key your locks or install a security system.
- Document incidents and/or file a police report.
- Carry a cell phone (keep it charged, even if it has no minutes).
- Teach your children how to dial 911
- Make contact with a domestic violence program.

## The Friend of the Court, continued

You may obtain payment information by appearing in person at the Friend of the Court office, by written request, or by accessing the Friend of the Court's Interactive Voice Response (IVR) system at any time of day or night. You are supposed to include your name, case number, return address and contact telephone number in any written correspondence. To access the IVR, call (616) 632-6800, once connected press 1. You will have to have your Social Security number available. You may also access your case information via the State of Michigan's website (<https://apps.michigan.gov/MiCase/public/Home.aspx>). It will be necessary to follow their procedure to sign up for access before you may actually view the information.

### Access to FOC Records

The records maintained by the FOC are exempt from the Freedom of Information Act; therefore, they are not open to the general public. They are confidential records used to monitor your domestic relations case for the court. Michigan Court Rules grant certain individuals including the parties and the attorneys of record access to non-confidential FOC records of your case for review and copying. Copies of accessible records cost \$1.00 per page.

### Appointments

To request an appointment, complete the request for access form. A copy may be requested either at the front desk reception area at the office at 82 Ionia NW or by phone and it will be mailed to you.

Clients should make sure of the location of their appointment. Enforcement hearings or other court actions are held at the Kent County Courthouse and not at the FOC office.

Other information about the FOC is available on the website [www.accesskent.com](http://www.accesskent.com), including:

FOC Address	General Information
Case Management	Support Review
Pre-Investigation	Parenting Time/Custody
Enforcement	Mediation
Conciliation	Troubleshooting
Citizen Advisory Committee	
Forms & Publications	



## Divorce—Custody, and Parenting Time, continued

Custody and parenting time orders may be for joint custody or sole custody. They may include orders for physical custody (where the child lives most of the time) and legal custody (the right to participate in important decisions in the child's life, such as school choices and medical decisions). Orders may be for reasonable parenting time (any arrangement agreed upon by the parents) or specific parenting time. Many victim/survivors of domestic violence find that specific parenting time is safer, since court papers state the specific times the assailant may be in contact with the former victim. The court can also order restricted or supervised parenting time if you can show that you are in danger or the children are at risk for abuse, neglect, or parental kidnapping. Police reports, hospital records, and testimony of witnesses are types of evidence the court may consider.

The Circuit Court and the Friend of the Court can make referrals for professional supervised parenting time and safe exchanges of children that will allow both parties to avoid contact with one another. This service can be provided on a sliding fee or no cost basis to participants, depending on the individual situation. See chapter three, YWCA Safe Connections Program.

The Friend of the Court is required to enforce parenting time that is ordered by the court. Every case is different. Contact your assigned caseworker for specific information on your case. If the court order needs to be changed, you can petition yourself or hire an attorney. The Friend of the Court has do-it-yourself forms to ask for changes in custody, parenting time, and support. You may pick them up at the Friend of the Court office or at the Legal Assistance Center (see chapter three).

There is a \$20 motion fee, as well as other domestic relations fees that you will be required to pay unless you ask to have the fee waived (and that request is granted by the court) due to receipt of public assistance or low income. The Court can order a Friend of the Court investigation regarding custody, parenting time, or child support (there is a \$300 fee that can be waived, see above). If you disagree with the Friend of the Court's recommendation, you can file a timely objection and ask for a court hearing.

## Safety Planning, continued

### Safety Planning in the Workplace

(National Coalition Against Domestic Violence, [www.ncadv.org](http://www.ncadv.org))

- Notify your supervisor and the human relations manager about the circumstances regarding your situation.
- Discuss options available to you, e.g. scheduling, safety precautions, employee/family assistance benefits.
- Submit a recent photo of the perpetrator to your supervisor in the event of a confrontation at work.
- Request that all information be treated with confidence to provide for your safety and well-being.

### Safety Planning With Your Children

Children can learn to stay safe. Parents should teach their children to:

- Keep away from the fighting
- Get out of the home safely
- Find a trusted adult to talk to
- Go to a neighbor's home or other safe place
- Know their name, address and phone number
- Call 911

### Supervised Parenting Time and Safe Child Exchange

If you are concerned for your safety during parenting time exchanges, the court can sometimes make referrals for professionally supervised parenting time and safe exchanges of children that will allow both parties to avoid contact with one another. See YWCA Safe Connections Program in Chapter Three.

### Internet Safety

(used with permission from the National Coalition Against Domestic Violence, [www.ncadv.org](http://www.ncadv.org))

**WARNING—Taking the actions below may not prevent an abuser from discovering your email and other internet activity. You should always use a safe computer to which your abuser will not have access such as a computer at a friend's house, your workplace or at your local library.**

## Internet Safety, continued

### How An Abuser Can Track Your Online Activities

If an abuser knows how to read your internet browser history, they may be able to see information you have viewed on the internet. In addition to your browser tracking the sites you visit, a record of where you have been on the internet may be found in other software on your computer such as spyware, keystroke loggers, hacking tools, Java, Flash, search tool-bars, and hardware such as servers and routers.

Most new browsers include a private browsing feature in which internet history is not tracked within the browser on your computer, but such a feature does not eliminate the possibility that an abuser can track what websites you have visited through other means, such as those stated above. Also, deleting all or part of the browser history or saved passwords might make an abuser suspicious. Therefore, you should use only a safe computer to which your abuser will not have access such as a computer at a friend's house, your workplace or at your local library.

If you use social networking sites, such as Facebook, you should be cautious about what information you post on those sites. Abusers and victims often have the same network of friends who may accidentally reveal posted information to your abuser, and your abuser may be viewing what you are posting.

If an abuser has access to your email account, they may be able to read you incoming and outgoing email. You should make sure you choose a password they will not be able to guess that includes a combination of letters and numbers.

If an abuser sends you threatening or harassing text, social media or email messages, you can print and save them as evidence of this abuse.

## The Friend of the Court

The Friend of the Court (FOC) is the collection, enforcement and investigative arm of the Circuit Court in the area of domestic relations. The action by the office is dictated by court order. Orders are issued by the court after the judge has made a determination and the written document is signed, then filed with the County Clerk. To obtain a domestic relations order from the Court, the issue has to be brought before the court through formal legal action. This is accomplished through private attorneys, the prosecuting attorney, or by action of one of the parties. The Friend of the Court does not become involved until an action is filed with the court.

### Communication with the Friend of the Court Office

Please contact the FOC office in writing so that complete and accurate information is recorded in the case file. Written communications between the FOC and the parties ensure a complete record is maintained. Requests for enforcement of child/spousal support, parenting time, medical, etc., must be in writing. Whenever communicating with the FOC, always include the case number assigned to your case and keep your own copy.

You must keep the FOC informed of changes in vital information concerning your case. Provide the FOC with a written notice of any changes of: addresses, names, sources of income, medical insurance, telephone numbers, marital status of parties and minors, legal guardianships/ adoptions, financial status including bankruptcy, and physical custody of the child. Also, notify the FOC of the death of a party or child, the termination of parental rights, the reconciliation of parties, a child's high school graduation date and any other activity in any other court affecting your child.

## Divorce—Custody, and Parenting Time, continued

In divorce actions, when there are children under the age of 18, the Friend of the Court is notified. You will receive a packet from the Friend of the Court that tells you of two meetings you must attend regarding Friend of the Court services and effects of divorce /separation on children. If you want the Friend of the Court to help you obtain a temporary order, you can request a conciliation conference. This is a joint meeting that results in a recommendation by the Friend of the Court to the judge about temporary custody and parenting time arrangements. These temporary arrangements will be in place until the divorce is final. The recommendation can be appealed in court. (If the judge issues temporary orders at a court hearing there is no conciliation meeting.)

If domestic violence is involved and it is unsafe for you and your spouse to meet together, be sure to let the Friend of the Court know so they can use safety precautions. If you have an attorney, they can handle this.

After temporary custody and parenting time is ordered and is in place, permanent custody and parenting time must be decided upon before the divorce is final.

Decisions made about permanent custody and parenting time will be put in place after the divorce is final. Either attorney can ask the judge to order a Friend of the Court custody or parenting time investigation and/or evaluation. Either party can also ask for a neutral, non-binding Friend of the Court mediation for any problems with custody or parenting time. For unmarried mothers, the mother has custody until there is a court order or written agreement between the parents. However, the police usually will not assist you in returning your child from the other parent until the judge enters a custody order. You can file a custody action with an attorney or by yourself, but it is complicated. If your child is living with you, contact the Office of Child Support to ask the prosecutor's office to file a paternity action or a support action that gives you sole custody and provides for child support. If the name of the child's father is not on the birth certificate or acknowledgement of paternity, the mother automatically has permanent custody and the father has no legal rights to the child.

## Chapter Two: The Legal System

At some point, you may become involved with the police, court, lawyers, or others in the justice system. It can be very confusing, but can also help in your efforts to protect yourself.

The justice system is divided into two types of cases: **Criminal** and **Civil**. The criminal justice system handles violations of criminal law. Civil cases are matters such as divorce, child custody, or lawsuits.

There are also several courts with different jurisdictions. The two that you will probably be dealing with are the **District** and **Circuit** courts. Each handles different types of criminal and civil cases.

### District Court

In criminal cases, district court handles all misdemeanors where punishments do not exceed one year, (including arraignment, setting bail, trial, and sentencing) and conducts preliminary examinations in felony cases. If an abuser is charged with 1st or 2nd offense domestic violence, those charges would be handled in District Court. Kent County has 63rd District Court handling all township cases in the county and the City of East Grand Rapids, 61st (City of Grand Rapids), 62a(Wyoming), 62b(Kentwood), 59th(Grandville & Walker). These courts also have a small claims division for civil cases up to \$3,000.

### 17th Circuit Court

The Circuit Court handles civil cases involving more than \$25,000, criminal cases where the offense is a felony, domestic relations cases (divorce, custody, child support), and child abuse, neglect, and delinquency cases. The Circuit Court also hears appeals from lower courts. There are 7 judges handling the criminal/civil cases where domestic violence felony charges would be handled.

The Circuit Court also has 5 judges in the Family Division that hear cases dealing with nearly every aspect of family law, including:

adoption	emancipation of minors
child abuse and neglect	name changes
child and spousal support	parental consent waivers
child custody	parenting time
delinquency	paternity
divorce	personal protection orders

## Clerk of the Court

The Clerk of the Court is the "keeper of the records" for all lawsuits filed in the Kent County Circuit Court. It is where you file for divorce, other family matters (i.e., paternity, custody, and support), civil lawsuits where the amount of damages exceeds \$25,000, and other civil matters. In addition, the Clerk of the Court maintains all of the records filed in felony cases, and collects payments for fines, costs, and restitution ordered in criminal matters. Court files are public records, and information about cases is available in person or over the phone.

It is also important to know what the Clerk of the Court **cannot do: provide legal advice**. The law expressly prohibits the Clerk and their deputy clerks from advising people involved in a lawsuit on legal issues. This can be frustrating, especially for people who represent themselves.

### Location

The Circuit Court Clerk's Office and the 17th Circuit Court are located at the Kent County Courthouse, 180 Ottawa Ave NW, Suite 2400, Grand Rapids, MI 49503. For directions, please refer to the 17th Circuit Court Map found on [www.accesskent.com](http://www.accesskent.com).

### Dealing with the Criminal Justice System

Committing domestic violence is always wrong, but it only becomes a crime under certain circumstances. It is a crime when there is physical violence or a weapon involved or your assailant is stalking you.

Some tips that may help you deal with the Criminal Justice System:

- Be as specific as possible about what has happened when talking to police officers or prosecutors. For example, tell the officers that "they slapped me twice in the face then kicked me in the right leg," rather than "they beat me".
- Show the police or advocates any injuries you have. Notify the police or advocates if bruises get worse after police have taken pictures. You can take your own pictures, but be sure to write down the date and time the picture was taken.
- Let police and prosecutors know about any witnesses.
- Show police or prosecutors any no-contact or personal protection orders. Let them know about past assaults, or other past violent behavior of the defendant.
- Get as much information as possible, for example, incident numbers from the police and the name of your detective.

## Divorce, continued

To get a divorce in Michigan, you must live in the state for six months and in the county for ten days prior to filing.

It is helpful to have an attorney to file for divorce, preferably one who is knowledgeable about domestic violence. You may be eligible for legal assistance at Legal Aid of Western Michigan (see chapter 3) if you meet their income guidelines and certain other criteria. The Grand Rapids Bar Association's Lawyer Referral Service can also help you find a lawyer, but does not specify whether the attorney is familiar with domestic violence laws.

Divorce kits or "do it yourself" divorces may be an option but are recommended only if both spouses agree about property issues, where there is no danger, and there are no custody issues. Forms and assistance are available at the Legal Assistance Center in the Kent County Courthouse if this is the option you choose.

**Many individuals seek shelter at the time their abusive spouse is served papers that tell them a divorce complaint has been filed. This can be a very dangerous time and may be something you want to consider. See chapter three for available resources.**

Along with the complaint, **temporary orders** are usually requested which ask the court to decide about use of the marital home, custody and parenting time, spousal support and civil restraining orders that will be in effect until the divorce is final.

If there are no minor children, a divorce can become final after sixty days. If there are minor children, your divorce will not be final for at least six months. Delays often happen if your spouse contests the divorce or if there are disagreements about custody and/or property settlements.

### Custody and Parenting Time

(Before recent changes in the law, parenting time was known as "visitation")

If you are married and there are no custody orders, both parents have equal rights to the children.

## U Visas for Non-Residents

Victims of domestic violence, sexual assault, and human trafficking who are not legal residents of the United States might be able to apply for a “U Visa.” This is a program set up by the federal government to provide legal status to victims of such crimes who might otherwise be afraid to report the crime to the authorities. The U Visa provides temporary immigration benefits, including the ability to stay in the country and employment authorization, to certain victims of criminal activity who: (1) have suffered substantial mental or physical abuse as a result of having been a victim of criminal activity; (2) have information regarding the criminal activity; and (3) assist government officials in the investigation and prosecution of such criminal activity. A U Visa might also be available to certain family members of the victim. It is possible for U Visa holders to become resident legal aliens if certain time-frames and regulations are met. Along with the U Visa, there are other programs provided by the immigration laws that might apply. As with most federal programs, the rules can be complicated and it would be best to check with a qualified immigration attorney or other agency for more information. See Chapter Three: The Hispanic Center, Justice for Our Neighbors, Migrant Legal Aid

## Family Court

In addition to the criminal justice system, you may find yourself involved in family court matters such as divorce, custody, parenting time, and/or child support. The following information is provided as a general description of the family court process and should not be perceived as legal advice. For legal advice, please consult the services of an attorney.

## Divorce

Divorce is one option you may choose or be faced with. Here are some details about the possible process you may go through:

Michigan allows *no-fault divorce* [MALA 552.5, MSA 25.86]. This means you must show that your marriage “has broken down.” You may tell the court your basic reason for the divorce, but you don’t have to prove adultery or cruelty or give any specific reason.

With no-fault divorce, one spouse can get a divorce even if the other spouse doesn’t want one. You don’t have to be living apart to file.

## Dealing with the Criminal Justice System, continued

- As the victim of a crime, you may have certain rights under the Crime Victim’s Rights Act.
- **Keep this booklet with you.**

## Legal Terms

*Alleged*—This word is used by the legal system to indicate something that has not yet been proven. You may hear alleged” assailant or “alleged” victim.

*Arraignment*—This is when the judge informs the defendant of the charges against them, their constitutional rights, and the conditions and amount of their bond. At the arraignment, the defendant enters a plea.

*City Attorney*—The prosecutor who works for the city instead of the county. If the criminal charges are prosecuted as violations of city ordinances, ordinarily it will be the city attorney who will prepare and present the case against the assailant (defendant).

*Complainant*—The person, city, or state that files a suit, makes a complaint, or presses charges. In criminal cases, this can ONLY be the city or state.

*Defendant (or Respondent in a PPO)*—This is the person who is charged with the crime or the person whom the suit is filed against. If the assailant is arrested, they become the defendant.

*Defense Attorney*—The lawyer who represents the defendant in a criminal case. If the defendant has no money for an attorney, the court might appoint an attorney to represent them.

*Plaintiff (or Petitioner in a PPO)*—The person, city or state who sues or files the complaint (same as complainant).

*Plea*—The person who has been charged will, at some point, “enter a plea,” telling the court he is guilty or not guilty of the offense with which they are charged. Pleas also include standing “mute” or pleading “no contest.” “No contest” pleas are treated as guilty pleas by the sentencing judge. “Standing mute” is treated as a not guilty plea.

*Probable Cause*—Your statements, visible injuries, statements by witnesses, destroyed property, and anything else that causes an officer to believe that a crime took place. This is sometimes called “reasonable cause.”

## Legal Terms, continued

*Prosecutor*—The attorney employed by the city or county. If the charges are brought under state law, it is the county prosecutor who will prepare the case and present the evidence against the assailant.

*Subpoena*—An official order of the court which tells people they **MUST** come to court. You may get a subpoena as a witness and if so you must show up at the time and place it says.

*Suspect*—The term used to refer to the person the police suspect committed the crime.

*Venue*—The neighborhood, place, or county where the incident occurred. It can also mean the geographical division for the court in which a prosecution is brought for trial.

## Criminal Case Process

The following is an explanation of the process in a criminal case.

### When The Police Are Called

Each police jurisdiction has a different policy for arresting suspects in a domestic violence assault. Your experience with the police may depend on where you live and sometimes which officer responds to the call. The law says that a police officer does not need to see the assault to arrest the assailant if he or she has probable cause to believe an assault took place.

All police departments in Michigan must have a written policy that emphasizes arrest as the preferred response in domestic violence situations when there is probable cause that a crime has been committed (Public Act 69, 1994). The decision to arrest, however, depends on the particular officer's assessment of the situation.

Most police departments have arrest policies that encourage arrest if they have probable cause to believe a crime took place. In most cases, the police will seek prosecution. Probable cause could include your statements, visible injuries, or witness statements.

A police officer intervening in a domestic assault must provide the victim with a printed statement containing information about shelter programs and other services in the community, as well as information regarding the victim's legal right to obtain a personal protection order against the abuser. The statement must also advise the victim of the name and telephone number of the responding police officer and directions on how to obtain a copy of the police report.

## Personal Protection Orders, continued

- The Clerk's office will open the case while the petitioner waits. The Clerk's office keeps the original cover sheet, affidavit and petition, and then places the copies back in the red folder and gives it back to the petitioner.
- The petitioner returns the red folder and copies to the front window staff at the PPO office in suite 3500.
- The PPO staff will then take the paperwork to the assigned judge for review.
- Once the judge has made the decision to grant or deny the PPO, it is sent back to the PPO staff.
- The PPO staff will contact the petitioner by phone as soon as they receive the signed order from the judge. They will inform the petitioner that their order is ready to be picked up and if it has been granted or denied.
- After the PPO staff calls, if petitioner does not pick up the signed order within 24 hours (unless a specific pick up date is stated by petitioner), the order will be mailed. The PPO staff will let the petitioner know this will happen if the order is not picked up in 24 hours.
- The petitioner must present picture ID when picking up the signed PPO.

Domestic violence agencies, Safe Haven Ministries and YWCA of Central West Michigan, have staff available to assist you with completing a Personal Protection Order or answering questions you may have, if you would like assistance.

## Personal Protection Orders, continued

### Remember:

- *Language Interpreters* should be provided if requested, or you can bring a friend or relative to assist with this need.
- *Child care* is not provided by the court, so you may wish to bring a friend or relative to help. Judges do not like children to be in the courtroom.
- The *processing of the PPO* generally takes 24 to 48 hours. In most cases, the petitioner may expect to return the next business day to pick up the signed order. If the order is not signed/approved, the petitioner will be informed of the reasons for denial.
- The *jurisdiction for PPOs* fall under the Family Division of the Circuit Court.

### What to Expect

The following is what happens when you go to the Personal Protection Office to file for a Personal Protection Order:

- Go to the 3rd floor, suite 3500 to file a PPO
- Front window staff will give the petitioner the petition and affidavit with instructions on how to complete the forms.
- Staff will request and make a copy of picture ID of the petitioner and next of friend, if required.
- Petitioner then completes paperwork and returns it to the front window staff.
- Front window staff places it in a file for PPO staff to interview in the order received.
- PPO staff, prior to meeting with the petitioner, will do a case look-up in the court's computer system and complete as much of the order as possible prior to the interview.
- PPO staff meets with the petitioner, answers any questions, and explains the petitioner's responsibilities. The PPO staff then completes the order and notarizes the signature of the petitioner.
- PPO staff makes copies of the petition, affidavit and cover-sheet, and places the originals and copies in a red folder.
- Petitioner takes the red folder with the original and copies to the Clerk's office, suite 2400, to open the case.

## Criminal Case Process, continued

In addition, police officers must complete and file a domestic violence incident report after investigating a domestic dispute or report of domestic violence. The report must include time, place, victim, suspect, existence of a personal protection order, witnesses, weapon used, and description of any injuries, etc., and must be sent to the prosecutor's office within 48 hours.

### Domestic Assault Response Team (D.A.R.T.)

When the police are called, you may receive a visit or a follow up phone call from the Domestic Assault Response Team (D.A.R.T.). D.A.R.T. is dispatched by the Grand Rapids Police Department to assist domestic assault victims. The team helps the victim understand their rights, arranges for shelter or transportation to a safe place, and provides more information about the police, the court system, and community resources.

### If Not Reported to the Police

If the police were not called at the time of the assault, you may call the police department or detective bureau the next day. Pictures can also be taken at that time. You will be given a time to come in and talk with the detective, and there will be forms to fill out. If a detective finds that there is enough evidence to seek a warrant, they will take the information to a prosecutor. An investigation can take up to a week or more, depending on the circumstances.

### If An Arrest Is Made

If an assailant is arrested, they will be taken to the Kent County Jail. There may be an investigation and you may be asked to provide a statement about what happened. *This does not mean that you are pressing charges.* The city or state is pressing charges and you are a witness.

The case will then go to the prosecutor or city attorney's office for authorization. If there is sufficient evidence available in the opinion of the prosecutor or the city attorney that a criminal offense can be proven beyond a reasonable doubt in a court of law, then a warrant may be authorized.

It is possible that while a prosecutor believes that an assault actually occurred, the suspect may not be charged because it appears that the case cannot be proven beyond a reasonable doubt.

## Criminal Case Process, continued

If the complaint is signed, the case proceeds and the defendant will be held until the next court session when they will be arraigned. If it is a weekend, the person will still see a judge and a bond will be set, usually including an order to have “no contact” with you.

### Prosecutor’s Office

The Prosecuting Attorney appears for the County in all criminal prosecutions in Circuit Court and District Court, as well as delinquency and neglect proceedings in the Family Division of the Circuit Court. The Prosecutor’s office is not located inside the courthouse. Their location is at 82 Ionia Ave #450, Grand Rapids, MI 49503. The Prosecuting Attorney’s office is responsible for other legal functions, including:

- Keeping victims notified on the status of their case (Victim Witness staff) and informing them of their right to participate.
- Representing custodial parents in support and paternity proceedings.

If your abuser is charged with a misdemeanor, a City Attorney may handle the case. Each city has their own private law firm which does that work. You would need to contact the city to see what office that is.

### When the Assailant Is Charged

Once the complaint is authorized, the defendant will be arraigned in front of a District Court judge within 48 hours of arrest, either in person or by remote video. They will be informed of the charges against them and of their constitutional rights. Conditions and amount of bond will be set. In most cases, the defendant will be released on bond, but for your protection, the court may put a no-contact condition on their bond.

### No-Contact Bond Condition

This is an order that tells a defendant they must not have contact with you in person, by phone, by mail, or indirectly. This means that you should not initiate contact with the defendant without the court’s permission. The order is not against you, but any contact between you and the defendant can affect what happens in the case. The order is a condition of the defendant’s bond unless the judge removes or changes the order. You can be present at the arraignment and request to speak with the judge about bond conditions.

## Personal Protection Orders, continued

### Forms Available

This office makes available the proper personal protection forms, provides direction for completing and filing those forms, and offers information on local sources that deal with domestic violence. The initial paperwork (instruction sheet, petition and affidavit) can be downloaded from [www.accesskent.com](http://www.accesskent.com) under Courts, 17<sup>th</sup> Circuit Court, Forms section.

### Other Requirements

Parties filing need to present valid ID (includes other State driver’s license, passport or school identification). In addition, a signed personal protection order must be served upon the respondent and a proof of that service needs to be filed in the case.

### Hours

General walk-in office hours Monday-Friday from 8:00 a.m. to 5:00 p.m. **Client interviews from 9:00 a.m. to 2:30 p.m.**

### PPO Expiration Date

Your PPO is only in effect up to the expiration date. This is located near the bottom right of the order, sometimes in RED. *If you need to extend your order*, you must come in to this office approximately three weeks before the expiration date, or call (616) 632-5067 to request the paperwork to renew. Permanent (five year) PPOs are available for long-term situations.

### Enforcement Of Order

If a violation occurs, **do not call the PPO office -- CALL THE POLICE**. A police report is helpful, but not required to pursue a violation of the respondent through the courts. If no arrest is made and you wish to pursue the violation, contact the PPO Office for paperwork to schedule a hearing. The petitioner will need to follow the PPO conditions as well as the respondent. Please note that only the Judge may change the conditions of or dismiss the PPO.

### Change Of Address

Keep the PPO office updated on any address or phone number changes for the duration of the order.



## Personal Protection Orders

The Personal Protection Office assists victims of domestic violence and victims of stalking in obtaining personal protection orders (PPO), assists the petitioning party with enforcement of the orders and assists restrained parties with the processing of making objections.

The PPO Office will assist in making the filing process go as smoothly as possible. However, you are representing yourself in this action and the PPO staff are not attorneys, investigators, enforcers or process servers. Domestic violence agencies can also help you better understand your rights and how to obtain a PPO.

### Criteria For PPO

The petitioner and respondent:

- Are husband and wife
- Were husband and wife
- Reside or resided in the same household
- Have a child in common
- Have or had an intimate dating relationship
- Have some other family relationship
- Are in a stalking situation as defined by:
  - MCLA 750.411(h), as used in this section:**
  - (a) "Course of conduct" means a pattern of conduct composed of a series of 2 or more separate non-continuous acts evidencing a continuity of purpose.
  - (b) "Stalking" means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed or molested.

### Statutory Requirements

- Petitioner must be at least 18 years old unless accompanied by someone of that age or older who will consent to be petitioner's next of friend, preferably a parent.
- Personal Protection Orders are not for civil matters such as custody and neighbor disputes. (For help in neighbor conflict, contact the Dispute Resolution Center at 616-774-0121).

## Criminal Case Process, continued

Police officers can arrest without a warrant when a defendant violates a no-contact order. If they do not arrest, contact the police department to make a report, ask for an incident number, and report the contact to the court where the order was issued.

If the defendant is contacting you by phone, keep a recording of any phone calls and/or list of phone numbers contacting you. Your local phone service provider can usually trace harassing phone calls, but they will need a police report case number when you call. Save any letters or other mail and keep a record of when you receive them. You should notify the detective in charge of your case, or the court, of any violations of the no-contact order.

**The process after arraignment is different for felonies and misdemeanors, but both are arraigned in District Court.**

### Misdemeanor Charges

*Plea*—At the arraignment, the defendant will enter a plea of guilty, not guilty, no contest, or stand mute. If the defendant pleads not guilty or stands mute, then there is a pre-trial conference at a later date.

The defendant can change their plea to guilty at any time during the following stages:

*Pre-Trial Conference*—This is a conference with the prosecutor and the defendant and/or their attorney only. You have a right to give input as to what you would like to see happen, and you may be contacted by a prosecutor or representative prior to the conference. You also may be asked to come into court. They will meet to discuss whether the defendant will plead guilty to the crime charged or a different offense. If the defendant does not plead guilty, they may choose between a jury or a bench (judge only) trial. If the defendant chooses a jury trial, a jury selection will be scheduled before the trial date.

*Trial*—The prosecutor will try to prove that the defendant is guilty of committing the crime, beyond a reasonable doubt. The prosecutor, or city attorney, may call witnesses to testify in an effort to do this. The defendant is not required to call witnesses, nor are they required to testify, but they can if they wish to. As a victim, you are a witness, and you may receive a subpoena.

## Criminal Case Process, continued

If so, you must be present and you may need to testify. If the defendant is found guilty, the judge will usually order a pre-sentencing report.

*Sentencing*—If the defendant is convicted, the probation department typically prepares a pre-sentence report. At sentencing, the judge will have considered the probation department’s report and its recommendation. An important part of the pre-sentencing report is your input. You will receive a victim-impact letter from the court and your response will be part of the report the judge will read. You also have the right to make a verbal statement at sentencing. The judge may order the defendant to probation, time in jail, community service, or to enter counseling and has the option of ordering the defendant to make restitution to you. A no-contact order may be part of their probation.

*Appeal*—The defendant has the right to appeal their conviction or sentence. Those defendants who plead guilty or no contest may appeal only under limited circumstances.

## Felony Charges

*Circuit Court Arraignment*—The defendant is advised of the charges against them in front of a Circuit Court judge.

*Preliminary Examination/Probable Cause Conference*—This is a hearing before a district court judge to see if there is enough evidence to send the case to circuit court. You might get a subpoena for this court proceeding, and if you do, you must appear as directed. Sometimes, instead of demanding that the prosecutor prove to the judge that the right person was charged with the right crime, the defendant might plead guilty to a plea offer, or waive (give up) their right to the hearing to think about a plea offer. You should be prepared to tell the prosecutor or the victim witness advocate what you would like to see happen. That is not a guarantee it will happen, but your input is very important. If the judge finds probable cause to believe this defendant committed a felony, either because evidence was presented that convinced the judge of that, or the defendant waives their right to the hearing, it will be “bound over” to Circuit Court for more things to happen. In Circuit Court, there may also be motions or hearings before a judge about technical or legal issues.

## The Stalking Law, continued

### What to Do if You’re Being Stalked

- Ask only once to be left alone and document your request.
- Contact the police so they can begin investigating and compiling evidence.
- Keep a record of dates and times at which you were called, followed or confronted and save any letters, gifts, or other items the person sends you.
- Record all telephone calls from the stalker.
- Point out the stalker to anyone who could serve as a witness, such as store security guards and get another person on the line if the stalker calls.
- Alert neighbors and co-workers and give them a description of the stalker.
- Get an additional phone line, change your locks, and if necessary, seek safe shelter (see chapter three).
- Refuse to stay in contact with the stalker, even if they start acting “nice.”
- Seek help and support.

### Civil Restraining Orders

Sometimes a judge will issue a “Civil” restraining order. This can prohibit the same behaviors but offers less protection if the assailant violates this restraining order, they cannot be immediately arrested. However, It can be written to prohibit a broader range of behaviors than the PPO, like taking your property or coming to your child’s school.

If the assailant violates a civil restraining order, the police cannot arrest. They may discourage them from being there or may take a report. You must then file a motion for hearing on the violation. At the hearing, the assailant must show that they did not violate the order. If the assailant is found in contempt of court, they can be punished by a fine of up to \$250, 30 days in jail, or both.

Usually a personal protection order is more appropriate and more helpful in this situation. If you have an attorney, you should consult them for advice, or contact a domestic violence agency and speak to an advocate.

## The Stalking Law (MCLA 750.411i)

Stalking is generally defined as a pattern of two or more unwanted contacts that would cause a “reasonable person” to feel terrorized, frightened, intimidated, threatened, harassed, or molested and actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

This law makes it a crime to repeatedly threaten or intimidate someone or to make repeated unwanted contact that causes emotional distress. Unwanted contacts includes telephone harassment, coming onto your property, or making threats.

Personal protection orders can prohibit certain behaviors including the following:

- Following you
- Approaching or confronting you in a public place or on private property without your consent
- Entering into or remaining on property owned, leased or occupied by you without your consent
- Contacting you by telephone, mail, or other communication without your consent
- Placing an object on or delivering an object to property owned, leased or occupied by you

If the assailant violates the order, the police can arrest them immediately. If they are found guilty of violating the order, they could go to jail for no more than 93 days, and be fined no more than \$500. (MCL 600.2590)

The orders are effective when signed by a judge, enforceable upon service to the respondent anywhere in Michigan (and outside of Michigan as well), and remain in effect for at least 182 days (six months). The order can be renewed if it is still needed. You are encouraged to reapply before the expiration date. The County Clerk’s office is responsible for providing a copy of the order to the local police agency so it can be entered into the **Law Enforcement Information Network (LEIN)**. This means that it will be in the computer system at the police department and the officer will have access to it in his or her patrol car.

Please see page 34 through 37 for more information regarding Personal Protection Orders.

## Criminal Case Process, continued

*Pleas*—Many defendants will plead guilty at some time during the process. This means that the case will not go to trial.

*Trial*—The defendant can choose a jury trial or a bench trial (the judge decides if they are guilty). In a trial the prosecutor must prove beyond a reasonable doubt that the defendant is guilty of committing the crime with which they are charged. The defendant does not have to call witnesses, or testify, but they can if they wish. You may receive a subpoena. If so, you must be present and you may have to testify. A bench warrant can be issued if you don’t show up. If the defendant is found guilty, the judge will refer them to the pre-sentencing department.

*Sentencing*—If the defendant is convicted, the probation department will prepare a pre-sentencing report. At sentencing, the judge will have considered the probation department’s report and its recommendation. An important part of the pre-sentencing report is your input. You will receive a victim-impact letter from the court. Your response will be part of the report the judge will read. You also have the right to make a statement at sentencing. The judge may order the defendant to serve time in jail, probation, community service, or to enter counseling and has the option of ordering the defendant to make restitution to you. A no-contact order may be part of their probation.

*Appeal*—The defendant has the right to appeal their conviction or their sentence. Those defendants who plead guilty or no contest may appeal only with the permission of the court.

## Crime Victim's Rights Act

The State of Michigan guarantees crime victims a Bill of Rights based on an amendment to the state constitution. Below is a summary of these rights:

You have the right . . .

- to be treated with fairness and respect throughout the criminal justice process.
- to be reasonably protected from the accused throughout the criminal justice process.
- to be notified of the telephone number of the police department to contact.
- to determine if the defendant has been released from custody.
- to have your property which was taken during the investigation promptly returned to you except as otherwise provided by law.
- to a timely disposition of the case following the arrest of the accused.
- to receive an explanation of court procedures.
- to receive an explanation of procedures to follow if threatened or intimidated by the defendant.
- to be present throughout the entire trial unless you are called as a witness.
- to be free from threats of discharge from your employer because you are subpoenaed by the prosecutor to come to court.
- to consult with the prosecutor in order to give your views of the crime.
- to restitution.
- to receive notice of any scheduled court proceedings and any changes in that schedule.
- to receive notice if the defendant escapes custody while awaiting trial.
- to receive notice of the defendant's conviction and sentence.
- to make an impact statement to the court prior to sentencing.
- to receive an explanation of the eligibility requirements and address of the Crime Victim's Compensation Board.

## Crime Victim's Compensation

There is a state-funded program based on the Michigan Crime Victim's Compensation Act of 1976 that may be able to provide financial assistance to domestic violence victims for medical and counseling bills as well as loss of earnings. This program provides assistance for victims who do not have insurance or public assistance to cover bills resulting from their victimization.

Below are the basic guidelines for qualifying for compensation from Crime Victim's Compensation:

- The crime must be reported to the police within 48 hours and the victim must cooperate with the police and the prosecutor.
- Medical expenses must have been at least \$200 or a loss of two continuous weeks' earnings must have occurred.
- The claim must be filed within one year from the date of the injury.
- The victim who is filing the claim must not be criminally responsible for the crime or have contributed to the crime.

Property losses are not covered by this fund. It is *only* for medical and counseling bills. The Victim Witness Unit will be able to answer any questions concerning this fund and assist you in filling out an application (see chapter three). You may also sue your assailant for personal injuries and property loss even if you were married. You should ALWAYS consult an attorney because it can be complicated and certain time limits may apply.