

DOMESTIC VIOLENCE IS A CRIME.



NISQUALLY POLICE DEPARTMENT (360) 459-9603

WHAT IS DOMESTIC VIOLENCE? Abuse of one person by another is a crime. There are specific laws to help those who have been injured by those with whom they have, or have had, a relationship.

Domestic violence includes assault (physical harm or bodily injury), infliction of fear or imminent physical harm, and / or sexual assault. It can include such crimes as harassment or stalking.

Relationships covered under Domestic Violence laws include spouses or former spouses, persons having a child in common, adult persons related by blood or marriage, adults who reside together now or in the past, and dating relationships. Both people in the relationship must be 16 years of age or older for the crime to be considered domestic violence.

WHAT HELP IS AVAILABLE? If you have just been assaulted or are in immediate danger, call 911 immediately for police assistance. The police will investigate and are generally required to make an arrest of the abuser if there is reason to believe a crime occurred and the abuser is still available within four hours of the incident. If the abuser is not present, the case will be referred to the Domestic Violence Coordinator for further investigation (if it is a felony).

The police may explain to you the importance of preserving evidence of the crime against you. This may include photographs of damage or injuries, torn clothing and / or doctor examinations. Police are required to make a report of the incident against you and may request either a taped statement or written questionnaire be completed by you to help with the prosecution.

WHAT IS AN ORDER FOR PROTECTION? An Order for Protection restrains the person who committed the act of violence from further assaults or threats. It can:

- Restrain the abuser from committing acts of violence
- Exclude the abuser from your residence and workplace
- Prohibit contact by the abuser through mail, telephone or in person

- Award temporary custody of children to one parent
- Order both parties to participate in counseling and treatment
- Prohibit the removal of children from the jurisdiction of the court

An Order of Protection cannot order child support, divide up property permanently or establish permanent custody.

HOW IS A PROTECTION ORDER OBTAINED? An order can be obtained even if you have not reported the assault to the police. Orders are available at the Tribal Court Clerk's Office at the Tribal Center, 4820 She-Nah-Num Drive SE or at the Thurston County Court, 360-786-5430.

There is a minor fee which can be waived if the petitioner does not have the money. Those who request orders will be asked to provide information about the most recent incident of abuse and the history of abuse in the relationship. During a short hearing, a judge will ask you additional questions about the relationship. Normally, a temporary order will be issued for two weeks. Another hearing will then be held in two weeks to consider making the order longer. The person who requested the order must show up for all the hearings.

WHAT ARE OTHER SOURCES OF HELP? Information about shelters and alternatives of domestic violence is available through a toll free hotline at 1-800-562-6025. Other resources locally are:

EMERGENCY: 911

Nisqually Police Dept.: 360-459-9603

Lacey Police Dept.: 360-459-4333

SafePlace (Emergency Shelter): 360-754-6300

Nisqually ICW: 360-456-5221

Nisqually Tribal Court: 360-456-5221

Nisqually Domestic Violence Program: 360-878-7199

Yelm Police Dept.: 360-458-5701

Crisis Clinic (Resource Info) 360-352-2211

Child Protective Services: 360-753-0613

Thurston County Court: 360-786-5430

The Nisqually Police respond to all domestic violence calls. In the course of the investigation, it may be determined that it is necessary for you to leave your residence to be safe. As a courtesy, officers will stand for 10-15 minutes while you obtain necessary items such as identifications, medicine, change of clothes and toiletries. Officers will also help, when possible, with transportation of you and your children a short distance to a safe location or meeting with a Safe House representative.

"IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the tribal prosecuting attorney to file a criminal complaint. You also have the right to file a petition in tribal court requesting an order for protection from domestic abuse which could include any of the following: (a) An order restraining your abuser from further acts of abuse; (b) an order directing your abuser to leave your household; (c) an order preventing your abuser from entering your residence, school, business, or place of employment; (d) an order awarding you or the other parent custody of or visitation with your minor child or children; and (e) an order restraining your abuser from molesting or interfering with minor children in your custody. The forms you need to obtain a protection order are available in any tribal, district, or superior court". -RCW 10.99