

NOTICE OF LEGAL RIGHTS & REMEDIES FOR DOMESTIC/ DATING VIOLENCE VICTIMS

Agency Name: _____
Defendant's Name: _____

Agency Case #: _____
Victim's Name: _____

Bail Hearing: If the abuser was arrested, the first court appearance and bail hearing will be within twenty-four (24) hours of the arrest at the courtroom in the Brevard County Detention Center, 860 Camp Road, Sharpes, FL. Court begins at 1:15 PM on weekdays and 9:00 AM on weekends and holidays. As a victim, you have the right to give input concerning bail to the Judge. You may provide input to the office of the State Attorney by calling (321) 617-7510 before noon on weekdays, or on weekends and holidays by email at IPAttorney@sa18.org, and your input will be relayed to the first appearance Judge.

Bond Conditions: At the first appearance, the Judge may order the defendant not to have contact with the victim and not to return to the victim's residence. These are conditions of the defendant's bond and will be in effect as long as the case remains open or unless modified by a Judge at a subsequent hearing. There is no specific expiration date for conditions of release. **It is a first degree misdemeanor for a defendant to violate these bond conditions.**

What Happens Now?

Domestic/Dating Violence cases received by the State Attorney's Office from law enforcement are reviewed by the Domestic Violence Division. This unit balances the needs of the victim and the mandates of the law for vigorous prosecution of domestic violence cases. The primary goal of this unit is to stop the cycle of domestic violence. The attorneys assigned to the Domestic Violence Division make the ultimate decision on how to proceed with the case based upon the best interests of the victim and the community. In order to make a decision whether or not to file charges in the case, the attorney will request and review evidence (to include witness statements, 911 calls, and photographs) from the referring law enforcement agency.

You are encouraged to contact the Domestic Violence Division by calling (321) 617-7510 to provide your input into the filing decision. In some cases, the Assistant State Attorney will need to meet with you in person to discuss the case. An appointment may be scheduled for you, or you may receive a subpoena to meet with the attorney.

LEGAL RIGHTS AND REMEDIES

If you are the victim of Domestic or Dating Violence, you may ask the State Attorney to file a criminal complaint. You also have the right to go to court and file a petition requesting a injunction for protection from domestic/dating violence which may include, but need not be limited to, provisions which restrain the abuser from further acts of abuse; direct the abuser to leave your household; and prevent the abuser from entering your residence, school, business, or place of employment. Additionally, a domestic violence injunction may also award you custody of your minor child or children and direct the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so.

The following Domestic Violence Centers are available to provide services:

SERENE HARBOR
Domestic Violence Shelter
(321) 726-8282
www.sereneharbor.org

SALVATION ARMY
Domestic Violence Shelter
(321) 631-2764

WOMEN'S CENTER
(321) 242-3110
www.womenscenterinbrevard.org

RECEIPT

On _____, 20____, _____ received a copy of the **Notice of Legal**
(Date) (Victim's Name)

Rights and Remedies from Officer/Deputy _____.
(Print LEO name and ID #)

Signature of Law Enforcement Officer

Signature and phone number of Victim

Next of Kin/Additional Contact and phone number