

**DEKALB COUNTY
SHERIFF'S OFFICE**

**Are
You A
Victim?**

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**DOMESTIC/
FAMILY
VIOLENCE**

**Temporary Protective Order (TPOs)
Domestic Violence Assistance
Information**

YOU SHOULD KNOW . . .

About the Family Violence Act

Article 1 of the **Family Violence Act** (O.C.G.A. 19-13-1) grants relief to domestic violence victims by the Superior Court in the form of **Temporary Protective Orders (TPOs)**.

Where and How to File a TPO

A victim (the petitioner) seeks relief under this article by filing a petition in Superior Court alleging one or more acts of family violence by the accused (the respondent). The respondent is the person who will be served the order to stay away from the petitioner. The petitioner alleges with specific facts that probable cause exists to establish that family violence has occurred in the past and may occur in the future. The Court may order such temporary relief *ex parte*, or with respondent absent or unrepresented, as it deems necessary to protect the petitioner and or minor of the household from violence. A hearing date is set within 30 days of the petition in which the petitioner must prove the allegation by a preponderance of the evidence as in other civil cases.

There is no charge to apply for a TPO. Contact the **Women's Resources Center** at 404-688-9436 for legal advocate advice, emergency shelter, support groups, children educational services, etc.

The order must be filed in the county of residence of the batterer, and there must be a recent act of physical abuse or threats of violence. The only exception is if he/she lives out of state. Then the petition may be filed in the county in which the violent act occurred.

The victim must complete forms provided by the court clerks and must provide details about recent and past violent acts. The victim does not need an attorney to file, but can hire one if so desired. The Women's Resource Center has advocates appointed by Superior Court who can assist victims in the filing of the civil action, and they offer a Family Law Clinic at the Center.

What Are Possible TPO Results

The protective orders may direct a party to stay away, to refrain from such acts of violence, grant a spouse possession of the residence or household and exclude the other spouse to vacate the location, award temporary custody of minor children, provide for possession of personal property of the parties, and various other items the judge may feel necessary to protect and provide for the victim.



Who Can Get a TPO

You are eligible for a temporary protective order if you are abused by a current or former spouse, the other parent of your child, someone who lives with you, someone who used to live with you, your parent, stepparent, or foster parent, your child, stepchild, or foster child. The abuse must consist of one or more of the following acts: battery, simple battery, assault, stalking, criminal trespass, unlawful restraint, or any felony. Most jurisdictions require that you be in fear for your safety.

Other Important Victim Information

- **The DeKalb County Sheriff's Office is responsible for the service of TPOs;** however, the victim should call 911 if in immediate danger. Police 911 can respond faster and can detain the subject until DKSO can arrive and serve the order.
- **The victim should have a certified copy of the order at all times.** A copy of the order should be provided to the school or daycare of children at risk. The offender should be removed from the child's approved school pick up list.

(**Note:** The Superior Court Clerks Office, where the petitioner completes the TPO forms, will direct the petitioner to the Sheriff's Office Court Division/Civil Process Unit to obtain notarized/certified copies of the order. The Sheriff's Civil Process Unit is located on the ground floor of the courthouse.)
- **When in court, the victim should tell one of the sheriff's deputies if he or she feels unsafe with the batterer present.** Every effort will be made to keep the victim safe. The batterer can even be prevented from sitting beside or near the victim. The deputies can detain the batterer in the courtroom for some time while the victim leaves.
- **The victim should document (journal/log) if the batterer or respondent tries to make contact by phone, letters, cards, flowers and balloons, breaking into the home, or by following the victim.** The victim should keep all evidence of violations such as photos, caller ID information, phone records, cards, letters, etc., and report these violations immediately to the police.
- The respondent will be subject to either civil or criminal consequences, depending on the nature of the violation.



DOMESTIC VIOLENCE ASSISTANCE INFORMATION

IF YOU ARE IN IMMEDIATE DANGER, PLEASE CALL 911.

**VICTIM INFORMATION AND NOTIFICATION EVERYDAY
(VINE)**

1-800-398-2916

DEKALB SHERIFF'S DOMESTIC VIOLENCE UNIT

- Temporary Protective Order (TPO) Service
- Criminal warrant apprehension
- Victim assistance/referrals

404-298-8315 (Days)

404-298-8200 (Evenings)

**DOMESTIC VIOLENCE ASSISTANCE LINE
WARRANT UNIT
CIVIL PROCESS UNIT**

404-298-8324

404-298-8200

404-371-2428

DEKALB WOMEN'S RESOURCE CENTER

- 24-hour crisis hotline
- Safe emergency shelter
- Children's program
- Community education

404-688-9436

DEKALB RAPE CRISIS CENTER

404-377-1428

DEKALB COUNTY DISTRICT ATTORNEY'S OFFICE

Victim-witness assistance programs
(Victims of violent crimes – felonies)

404-371-2567

**DEKALB COUNTY SOLICITOR-GENERAL'S OFFICE
VICTIM / WITNESS PROGRAM**

- Victim assistance
- Court dates/ court concerns/court safety
- State Court -criminal case status

404-371-2201

MEN STOPPING VIOLENCE (FOR MEN)

- Educational program for men to stop violence

404-688-1376

**CRIME VICTIM COMPENSATION
OFFICE OF THE GOVERNOR**

1-800-338-6745

- Compensation for qualified victims of assault
- Medical expenses
- Counseling expenses
- Funeral expenses
- Economic loss

GEORGIA COALITION ON FAMILY VIOLENCE

- 24-hour statewide access to free and confidential assistance
- Listings of domestic violence agencies in your community

1-800-33HAVEN

(1-800-334-2836)