



## FAMILY CRISIS CENTER

The Johnson County Family Crisis Center is located in Cleburne. The agency has trained staff and volunteers who can provide a host of services for you and your family at no cost. Some of those services are:

24-hour hotline

Crisis intervention

Therapeutic counseling (individual and/or family or group)

Legal assistance (crime victims compensation assistance, protective order, judicial support, etc.)

Emergency shelter

## Sexual Assault: Information for Adult Survivors

Sexual assault is defined in several ways. Generally, sexual assault is any unwanted, non-consensual sexual contact against any individual by another.

It often includes acts involving manipulation, physical force or coercion. Sexual assault is never the victim's fault.

### The Effects

As a survivor of sexual assault, you may feel one or more of the following emotional reactions:

- You may believe you allowed the sexual assault to happen
- You may feel guilty because you think you did not do enough to fight off your attacker
- You may feel angry and take it out on those you love
- You may feel afraid that your attacker will come back
- You may feel ashamed of what has happened to you
- You may feel unclean, even after bathing

These feelings may change your behavior:

- You may not be able to sleep or you may have nightmares

- You may find your eating habits changing
- You may not want to be left alone or you may want to be left alone
- You may not be able to resume your normal sexual relationship with the one you love
- You may have trouble concentrating and making decisions

Each of us copes with crisis in our own unique way. The way you are reacting is the right way for you. It is okay to cry. It is also okay not to cry. Remember, you are having a normal reaction to an abnormal situation.

## Reporting the Assault and Evidence Collection

### Do I have to report the assault?

It is up to you to decide what is right for you. Whether you make a report or not, you are eligible to receive the free and confidential services of your local sexual assault program. If you are not sure about reporting the assault, the local program can give you more information about the reporting process to help you make that decision. If you do not want to make a report, you may tell the responding officer at that time and still receive the medical treatment you need and a forensic exam if requested.

### Why should I report the sexual assault?

After the sexual assault, you may be embarrassed or scared; feeling this way is completely normal. These feelings may prevent you from wanting to report the assault right away. However, there are benefits to reporting the assault as soon as you can, such as being eligible for Crime Victim's Compensation.

### What happens if I choose to make a report?

A law enforcement officer will take your statement and ask you questions about what happened. This starts the investigation process. The police will also refer you to a sexual assault program for assistance.

### If I make a report, will the offender be arrested?

If a suspect can be identified, the police will submit your statement and a report of the offense to the District or County Attorney, who makes the determination if an arrest warrant will be issued. Once the suspect is arrested, the prosecutor's office will file formal charges as soon as possible. After the arrest, the suspect may be released from jail on bond. If the grand jury indicts the suspect, the case will be set for trial. For more information on the legal system in your area, contact the detective assigned to your case, the prosecutor's office, or your local sexual assault program. If you receive threats of further harm after the sexual assault, you may ask a judge for a protective order for yourself and other members of your family or household. The protective order may be in effect for two years or longer, and violation of the order is a Class A misdemeanor.

### Do I need medical attention?

It is very important to seek immediate medical care following a sexual assault to get treatment for any injuries you may have. Not all injuries from the sexual assault will be instantly apparent. You can

also ask the nurse or doctor about the possibility of pregnancy or contracting sexually transmitted diseases as a result of the sexual assault, and receive appropriate care.

## Is a sexual assault exam the same as medical treatment?

A sexual assault examination is not medical treatment. A sexual assault exam is performed by medical personnel to collect and preserve evidence following a sexual assault. This is important because certain types of evidence that may be present immediately after the attack will disappear as time passes. Getting a sexual assault exam as soon as you can will increase the chances of collecting this evidence. Your immediate medical needs and referrals for follow-up care will also be addressed at the time of your visit to the hospital.

## The Process of Healing

Healing from a sexual assault is personal and varies from survivor to survivor. Sometimes the first reactions are shock, disbelief and fear. You may respond with crying, shaking and agitation or with a calm and controlled outward appearance. You may not be able to continue your everyday activities, including eating and sleeping. You may feel the need to change your address, job or lifestyle in order to gain a sense of security.

Healing is not always a steady process. You may experience ups and downs after the sexual assault. You may start blaming yourself for sliding backward or for not getting over it as quickly as you or others think you should. Be patient with yourself. These feelings are normal. Everyone progresses through the process of healing at her or his own pace.

Your local sexual assault program can provide you with support and advocacy during the healing process. These programs provide free and confidential services to survivors of sexual assault all across Texas. Sexual assault programs can help by providing an advocate to go with you to the emergency room after the sexual assault and to any appointments related to the assault. These include appointments with law enforcement, the court system and medical facilities. Many sexual assault programs also offer counseling and support groups and run 24-hour crisis hotlines whose staff and volunteers are trained and prepared to listen and support you.

Family and friends in your immediate support system may also experience some of the same feelings you are having. It is important that they also participate in the healing process by talking about their feelings and fears with someone knowledgeable about sexual assault. They are also eligible to receive services from your local sexual assault program.

Call the Rape, Abuses and Incest National Network (RAINN) at [800 656-HOPE \(4673\)](tel:800656HOPE) to find the sexual assault program closest to you.

# Protective Orders

Chapter 5, Code of Criminal Procedure: Family violence is a serious threat to society and its members. Victims of family violence are entitled to the maximum protection permitted by law.

## Frequently Asked Questions

### What is a Protective Order?

A protective order is a civil court order issued to prevent continuing acts of family violence, sexual assault, human trafficking or stalking.

Family violence (sometimes called Domestic Violence) is basically defined as (1) any act by one member of a family or household intended to physically harm another member, (2) a serious threat of physical harm, or (3) the abuse of a child.

Family includes blood relatives or relatives by marriage, former spouses, parents (married or not) of the same child, foster parents and foster children, or any member or former member of a household (people living in the same house, related or not).

### How Can a Protective Order Help?

A protective order may prohibit the offender from:

- committing further acts of family violence, sexual assault, human trafficking or stalking
- harassing or threatening the victim, either directly or indirectly by communicating the threat through another person
- going to or near a school or day-care center of a child protected under the order attends

In some situations, a protective order may also include orders to: prohibit transfer or disposal of property, establish possession and visitation of a child, pay child or spousal support for a period not to exceed one year, attend mandatory counseling, vacate the residence or other specified property, if certain conditions are met. These additional provisions are not criminally enforceable. A person who violates them is not immediately arrested, but may be taken to civil court, found in contempt, fined and jailed.

### Who is Eligible for a Protective Order?

If the court finds that family violence, sexual assault, human trafficking or stalking has occurred and is likely to occur again, a court may render a protective order.

Ultimately, a court must determine on a case-by-case basis whether a protective order is warranted.

### How Can I Get a Protective Order?

You can apply for a protective order through the district or county attorney, a private attorney, or through a legal aid service program. The application must be filed in the county in which you or the offender lives. There are no minimum time limits to establish residency, and protective orders are available in every county in Texas.

**In JOHNSON COUNTY, the County Attorney's office will assist you in completing the protective order application as well as represent you in court at no cost if they proceed with the order. The Family Crisis Center advocates can accompany victims in court and assist you along the way, as well.**

## Who May File for a Protective Order?

1. An adult member of a family or household; or
2. any adult for the protection of a child; or
3. a prosecuting attorney; or
4. the Department of Human and Regulatory Services.

The person who is the alleged victim of family violence, sexual assault, human trafficking or stalking is considered to be the "applicant."

## What Information Do I Need to Provide?

When you apply for a protective order, you must supply the following information:

1. The name of each applicant (victim) and the county where each applicant (victim) resides;
2. the name, address, and county of residence of each individual who has committed family violence the offense against which protection is sought;
3. the relationship between the victim(s) and the offender;  
a request for one or more protective orders.

The victim should file for the order as soon after the incident has occurred as possible. Additionally, if other incidents family violence, sexual assault, human trafficking or stalking have occurred, the victim needs to provide this information to the attorney who files the protective order application.

## How Long Does it Take to Receive and How Long Does it Remain in Effect?

Unless a later date is requested by the applicant, the court shall set a hearing date no later than 14 days after the application is filed. If, however, the court finds from the information contained in the application that there is a clear and present danger of family violence, the court may immediately issue a temporary ex parte order. The temporary order is valid for up to 20 days. Final protective orders are effective for 2 years, unless another length of time is specified.

## What Happens if the Protective Order is Violated?

**Call the police immediately!!** Remember, protective orders do not offer complete protection. No piece of paper can protect you from all instances of violence.

Law enforcement agencies are notified of all protective orders issued in their area and they are required to maintain a list of those orders. If an offender violates the order and law enforcement is notified, officials will act to arrest the offender and seek to have charges filed. If a person violates the protective order in the presence of law enforcement, the offender must be arrested immediately. In cases involving the violation of a protective order, including an ex parte order, the offender may be punished for contempt of court by a fine of as much as \$500 or up to six months in jail or both. In cases of violation, excluding ex parte orders, the offender may be punished by a fine of as much as \$4,000 or jail for up to one year or both.

## Other Available Options

### What Other Options are Available?

A Magistrate's Order for Emergency Protection may be issued at the time of a defendant's appearance before a magistrate after arrest for an offense involving family violence, sexual assault, human trafficking or stalking. The order for emergency protection may be issued on the magistrate's own motion or on the request of:

1. the victim;
2. guardian of the victim;
3. a peace officer; or
4. the attorney representing the State.

A Magistrate's Order for Emergency Protection may prohibit the arrested offender from committing any further acts of family violence, communicating with a member of the family or household or the person named in the order, or making any threats or going near the place of employment, household or business of a member of the household or of the person named. The offender may also be restricted from going near a school or day care facility. The victim does not have to be present in court when the order is issued.

A violation of this order may be punishable by a fine of as much as \$4,000 or by confinement in jail for up to one year or both.

Remember, if someone has physically assaulted or threatened you, contact your local police department or sheriff's office to press charges against that person. Even if you are ineligible for a protective order, you may be able to have the person arrested for assault, criminal trespass, or stalking.

# Information on Stalking

You have the right to defend yourself against a stalker. This page lists strategies that can help shield you from stalking. You do not deserve to be intimidated or terrified.

## Questions About Stalking...

### What is Stalking?

A stalker tries to control his or her victim through behavior or threats intended to intimidate and terrify. A stalker can be an unknown person, an acquaintance or a former intimate partner. A stalker's state of mind can range from obsessive love to obsessive hatred. A stalker may follow a victim off and on for a period of days, weeks, or even years. A stalking victim feels reasonable fear of bodily injury or death to self or to a family or household member or damage to property. Stalking can be perpetrated by the stalker or by someone acting on her/his behalf. Stalking can take the form of verbal threats or threats conveyed by the stalker's conduct, threatening mail, property damage, surveillance of the victim, or by following the victim.

### How do I Know if I'm Being Stalked?

The stalker may, on more than one occasion:

1. Follow the victim and/or victim's family or household members, or
2. vandalize the victim's property, or
3. inflict damage to property--perhaps by vandalizing the car, harming a pet or breaking windows at the victim's home, or
4. make threatening calls or send threatening mail, or
5. drive by or park near the victim's home, office, and other places familiar to the victim.

## Terroristic Threat

### What is a terroristic threat?

Terroristic Threat is a penal code offense ([Section 22.07](#)). A person commits the offense of Terroristic Threat if he or she threatens to commit any offense involving violence to any person or property with the intent to place a person in fear of imminent serious bodily injury. **Penalty: Class B misdemeanor.**

## Texas Stalking Law

The law on stalking can be found in [Section 42.072](#) of the Texas penal code.

### How is stalking proven?

1. Intent of stalker: Stalker has the intent or the knowledge that his/her actions will instill fear of death or bodily injury to the victim or a member of the victim's family or household. Threats can be explicit (e.g.-stating that he is going to kill the victim) or implied (e.g.-veiled threats, hurting the family pet). Threats have to be aimed at a specific person; they cannot be general threats. Threats may be conveyed by the stalker or by someone acting on behalf of the stalker.

2. **Conduct of stalker:** Conduct has to occur on more than one occasion and be directed towards the victim and/or the victim's family or household members. More than one police report is not required. The acts may include threatening contact by mail or by phone, or damaging the victim's property.

**Penalty:** Third Degree Felony- unless there is a prior conviction for stalking, in which case the penalty is upgraded to a 2nd degree felony.

## If You Are Being Stalked...

**NOTIFY THE LOCAL LAW ENFORCEMENT AND PROSECUTOR'S OFFICES.** All stalking incidents should be reported to the police. Request that each incident be documented. Request a copy of the report from your local law enforcement agency. Give police any written correspondence and report any phone threats. Put dates received on all correspondence from the stalker. Know the name of the law enforcement officer in each incident.

**KEEP A DIARY.** Obtain the names and addresses of witnesses. Complete records are essential to the successful prosecution of stalking cases. Write a description of each incident.

**GET A PROTECTIVE ORDER** if you are related to the stalker by blood or marriage, if you ever lived together, or if you have a child in common. To get a Pro Se Protective Order Packet call [800-777-3247](tel:800-777-3247). This packet will help you obtain a protective order barring the stalker from certain areas near your home, your work, or your child's school. You can also review our [Domestic Violence Protective Order Kit](#).

**RECORD TELEPHONE CONVERSATIONS.** Tell the stalker to stop calling and hang up. Screen your calls. Write down the time and date the stalker calls. Keep recorded messages and give them to law enforcement.

**TAKE PICTURES OF THE STALKER.** Take pictures of the stalker if it can be done safely and write time, date, and place on the back of each picture.

**KEEP ALL CORRESPONDENCE.** Make a copy of anything you receive from the stalker. Touching the letter as little as possible will preserve fingerprints.

**TELL EVERYONE.** Give friends, co-workers, and neighbors a description of the stalker. Ask them to document each time the stalker is seen by them.

## Important Safety Measures

**BE ALERT** and aware of your surroundings, the people and things happening around you.

**VARY ROUTES** of travel when you come and go from work or home.

**PARK SECURELY** and in well-lit areas. Ask someone to escort you to your car.

**BE AWARE** of vehicles following you. If you are followed drive to a police station, fire department, or busy shopping center and sound the horn to attract attention.

**ALERT MANAGERS** or security at your place of business. Provide a picture or description of the stalker.

**HAVE A SECURITY CHECK MADE** by law enforcement of your home to ensure your home can be locked safely. Secure all doors and windows in both your home and vehicle.



**MAINTAIN AN UNLISTED NUMBER.** If Caller ID is available in your area, obtain the service for your phone.

**DO NOT DISMISS ANY THREAT,** written or verbal. Call the police or sheriff 's department and save any documentation.

**MAINTAIN PRIVACY,** never give out personal information to anyone where the information can be overheard. Remove phone number and social security number from as many items as possible.

**DEVELOP A SAFETY PLAN** for yourself and family members in case of emergency. Decide on a safe place to meet and someone to call if problems do arise.

# Crime Victim Assistance Contacts & Links

Your county or district attorney has primary jurisdiction to pursue alleged violations of the law in your community. These prosecutors are granted extensive discretion in determining which cases will be prosecuted and how those cases will proceed before a grand jury. This exercise of discretion is not subject to review by the Office of the Attorney General. However, this agency can assist local prosecutors in criminal matters with their consent. Accordingly, we recommend that you consider relaying any concerns to the appropriate county or district attorney.

District and County Attorneys are required to designate a Crime Victim Coordinator for their offices to assist with providing victims with information and notification detailed in the [Texas Code of Criminal Procedure, Chapter 56](#).

Law Enforcement Agencies are required to designate a Crime Victim Liaison for their agency to assist with providing victims with information and notification detailed in the [Texas Code of Criminal Procedure, Chapter 56](#).

Please contact the Crime Victim Liaison for information on cases before a charge has been filed and the Crime Victim Coordinator, once a case has been referred to the prosecutor's office.

Victims and their families may also receive information on offender custody and court status by registering with the [Texas VINE](#) system in participating counties. To find out if your county is participating in Texas VINE, contact your local enforcement agencies and prosecutors or contact Texas VINE directly.

## State Resources

### **2-11Texas.Org**

[2-11](#) is a service of the Health and Human Services Commission's Texas Information and Referral Network.

### **Child Abuse**

Report Child or Elder Abuse or Neglect to the [Department of Family and Protective Services](#) at (800) 252-5400 or contact the [Texas Abuse Hotline](#).

You can find information about Children's Advocacy Centers at [www.cactx.org](http://www.cactx.org). For information about the court-appointed advocate program for abused or neglected children, visit [Texas CASA](#). For information about child abuse or neglect resources and laws, read our brochure, [If You Suspect Child Abuse](#).

### **Criminal Justice System General Information**

The Criminal Justice Section of the State Bar of Texas has prepared a [general information pamphlet](#) on the Criminal Justice System.

### **Family Violence**

For assistance regarding domestic violence visit the [Texas Council on Family Violence](#) or the [Texas Advocacy Project](#) for legal solutions to end violence.

You can find additional information through the [Texas Attorney General, Crime Victim Services Division](#) and the [Texas Department of Criminal Justice, Victim Services Division](#)

### **Mothers Against Drunk Driving**

Every county in Texas is covered by a [MADD affiliate](#).

### **Sexual Assault**

For information for victims of sexual assault visit [The Texas Association Against Sexual Assault](#) and the [Rape, Abuse & Incest National Network](#).

### **Texas VINE**

Victims can register with [Texas VINE](#) for updated about offender custody and court status.

## **National Resources**

### **General Information**

The US Department of Justice, [Office for Victims of Crime](#) provides information and referrals for all victims of crime, including information for international crime victims and all states' crime victim compensation programs. You can find additional information through the [US DOJ](#).

The [National Center for Victims of Crime](#) and [National Organization for Victim Assistance](#) provide references and referrals for all types of crime victims, ranging from sexual assault, stalking, and dating violence to identify theft and white-collar crime.

### **Child Safety**

Visit [the National Center for Missing and Exploited Children](#) to report information on an Amber alert or for information on internet safety.

Contact the [Cyber Tip Line](#) at [\(800\) 843-5678](#) to report instances of child sexual exploitation on the internet including child pornography, online enticement of children for sex acts, molestation of children outside the family, sex tourism of children, child victims of prostitution, and unsolicited obscene material or threats sent to a child on the internet.

### **RAINN**

The [Rape, Abuse and Incest National Network](#) is the nation's largest anti-sexual assault organization. RAINN operates the National Sexual Assault Hotline and carries out programs to prevent sexual assault, help victims, and ensure that rapists are brought to justice. Call them toll-free at [\(800\) 656-HOPE](#).

### **Stalking**

The [National Center for Victims of Crime, Stalking Resource Center](#) provides helpful information for victims of stalking.

### **Parents of Murdered Children**

For support and assistance to family and friends of homicide victims, including on-going emotional support, education, prevention, advocacy, and awareness, visit [www.pomc.com](#). POMC has many local chapters throughout Texas and the country.

### **Security on Campus:**

For information about crime victim assistance for crimes occurring on a college or university campus and what to do if you become a victim of campus sexual assault, see [www.securityoncampus.org](#).

# Victim Notification

## Printer Friendly

The Texas Constitution (Article I, Section 30) provides victims of violent crime with the right, upon their request, to receive notice about court proceedings and the conviction, sentence, imprisonment, and release of the accused. Local law enforcement agencies and prosecutors have contacts within their offices to provide this information.

Recognizing how important this information is for victims, the Texas Legislature directed the OAG to work with Texas counties and the private sector to implement an automated system to provide offender and court status around the clock. The OAG provides assistance in establishing contracts between county/state entities and the central database company. The system operates by networking status information from participating county and state contractors into a central database operated by a private vendor.

Texas VINE (Victim Information and Notification Everyday) is the name of the automated system. It provides crime victims with offender status and court information via a toll-free number and website. While Texas VINE is a valuable informational tool, it isn't a guarantee of safety. Please maintain contact with your local law enforcement and prosecutor's offices.

## Preparing to make your first call

Fill out the information card available on the [printable version of this brochure](#).

- When you first access VINE, you will identify the suspect/offender by entering the person's name as a number. To do this match each letter of the name to a number using the telephone keypad. Use 1 for "Q" and "Z." For example, "John" is 5646.
- You can get the court case number from your local District Attorney's Office.
- The Booking Number is a unique identifying number assigned by law enforcement when a person is booked into the county jail. You will be given the number assigned by law enforcement when a person is booked into the county jail. You will be given the offender's booking number the first time you access the system. If you forget the booking number, you can still access VINE information by entering the person's name in number format.
- Select a Personal Identification Number (PIN) that is easy to remember.

## Locating information on jail status and court dates

- Call toll-free 1-877-TX4-VINE; [1-877-894-8463](tel:1-877-894-8463) from a touch-tone phone. If calling from a rotary phone, please stay on the line to speak to an operator.
- Follow the voice instructions using the information you wrote on the card on the far right panel of the [printable version of this brochure](#). It will save time when you call again.
- **If you need assistance, press zero (0) to speak to an operator when the system prompts you to choose an option.**

## Registering for notification

Texas VINE allows you to register for automatic notification of court events and changes in county jail status. You may need to register separately for each type of notification.

When you register, you will be asked to provide two things:

1. Phone numbers where you wish to be notified. Register as many numbers as you like, including your home and work phone. Do not register a phone that rings to a receptionist or a switch board.
2. Four-digit PIN (Personal Identification Number). Use the PIN you already have chosen. You may use the same PIN with each phone number you register.

## Receiving a notification call

Texas Vine will automatically notify registered persons of suspect/offender status and court event changes. To confirm that you have received the notification, enter your four-digit PIN. Texas VINE will keep calling for 24 hours until this PIN is entered.

Texas VINE automatically notifies registered users in English or Spanish whenever one of the following situations occurs:

- the suspect/offender is released or transferred
- a court event has been set or changed
- there is a change in custody status such as death or escape.