

# Victim Services Program:

## **Mission Statement:**

To provide crisis intervention, emotional and judicial support and critical services referrals to aid victims and their children, and to promote community awareness on domestic violence issues.

## **Community Services:**

Currently Spanish Fork City, Salem City and Payson City are serviced by South Utah County Victim Services. The Victim Services staff provides presentations and classes to the community on domestic abuse issues, victims' rights, community resources, and Victim Assistance Programs. If your program or agency would like a presentation on any of the listed topics, please contact Patty Long at 801-465-5224.

Victim Services Office are located at:

439 West Utah Avenue  
Payson, Utah 84651  
Email [pattyl@payson.org](mailto:pattyl@payson.org)

Victim Assistants will meet with victims in their offices to provide assistance or respond to crime scenes when requested by police officers. They also occasionally do home visits with victims who may be home bound.

The Victim Services Program provides intervention and critical service referrals to aide victims of violent crime and their children. This assistance is available to all victims of violent crime, including:

- ♥ Domestic violence
- ♥ Homicide
- ♥ Aggravated assault
- ♥ Child victims
- ♥ Rape/sexual assault
- ♥ Major fires
- ♥ Suicide
- ♥ Accidental death
- ♥ Stalking
- ♥ Other crimes that involve a victim

The Victim Assistance can help a victim by providing:

- ♥ Crisis Counseling
- ♥ Services Referrals (DCFS, CJC, etc.)
- ♥ Safe Plans
- ♥ Support for Victim and the Family
- ♥ Protective Orders
- ♥ Appropriate Resources/Referrals (counseling, housing, etc.)
- ♥ Crime Victim Reparations (CVR)
- ♥ Criminal Justice Support
- ♥ A Listening Ear!!

The Victim Assistants provide victims with information and assistance in the following ways:

- ♥ Filling out protective orders
- ♥ Referrals for counseling
- ♥ Information on reparations for medical expenses and loss of wages
- ♥ Information on welfare, food stamps, housing and other social services as needed
- ♥ Assistance with shelter referrals and transportation to a shelter when needed
- ♥ Information on and support through the criminal justice system and court support
- ♥ Assistance in developing a plan of safety

Victim Assistants meet regularly with the City Prosecutors to provide them with information concerning the victims' wishes and the impact the crime has had on the victim's life for court prosecution purposes. They also attend court with victims on restitution issues to make sure the victim is compensated by the perpetrator for their losses as appropriate.

If you are a victim of crime, Victim Assistants will be happy to meet with you and try to help (with or without making a police report).

### **Child Victims**

- Children often display the following indirect symptoms from witnessing domestic violence: sleep disorders, headaches, stomachaches, diarrhea, ulcers, asthma, enuresis, depression, truancy, and learning problems (The Impact of Domestic Violence, 1994).
- Depression hopelessness and other forms of emotional distress among teenagers are strongly associated with exposure to domestic violence in the home (Colburn, 1994).
- 75% of boys who witnessed domestic violence have been found to have demonstrable behavior problems (Jaffe, et al., 1987).

### **Victims and Witness's Rights:**

Under Utah Law (Utah Criminal Code Annotated 77-37-3) victims and witnesses of crime have rights. Under those rights victims have the right "to be treated with fairness, respect and dignity, and to be free from harassment and abuse throughout the criminal justice process."

Victims have the right, upon request, to be informed of, be present at, and to be heard at important justice hearings related to the victim, either in person or through a designated representative.

Victims have the right to a secure waiting area that does not require them to be in close proximity to defendants and offenders.

Victims have the right to have a sentencing judge, for the purpose of imposing an appropriate sentence, receive and consider reliable information concerning the background, character, and conduct of those convicted.

Victims have the right to reparations and restitution when appropriate.

Victims have the right to a speedy trial and disposition of charges.

- Rights apply to “important criminal justice proceedings” which are defined as: Preliminary hearings, arraignments, disposition of charges, conditions of release/bail hearings, trials, sentencing and parole hearings.
- Those provisions apply to all felonies in adult courts. (In cases involving juvenile offenders, victims have the right to attend and speak at juvenile proceedings for offenses that are comparable to felonies in adult court).

Victims have the right to reasonable employer intercession services to minimize loss of pay for benefits.

Victims have the right to be informed to the level of protection available to protect them from intimidation and harm.

**Links:**

Crime Victim Reparations

United Way

Utah Cares

Center for Women & Children in Crisis 377-5500

**Civil Protection Orders:**

Too often in our community, the terms “restraining order” and “protective order” are interchanged with each other. If you are a victim of domestic violence, the order you should be seeking for protection is a “Protective Order”. Protective orders are for individuals who have been recently abused and are fearful for their safety or for individuals whose status with the perpetrator fit the following criteria:

- 1) Are married or were married
- 2) Ever lived together
- 3) Have a child in common (or are currently pregnant with the abuser’s baby)
- 4) Related by blood or marriage

Protective Orders are civil orders that have criminal sanctions (meaning if the Respondent violates the order, the police can be called and they can possibly arrest the Respondent). There are no costs associated with filing a protective order.

Process: A protective order can be obtained by either going to a victim assistant’s office to have them assist you in filling it out, by responding directly to the Fourth District Court and filling out the paperwork yourself, or going on-line and filling out the paper work at [www.utcourts.gov](http://www.utcourts.gov).

When you fill out the order, the judge looks at it and possibly grants relief by putting into effect the “Ex Parte Order”. This is an order where the judge is only hearing one side of the abuse. At the time the Judge signs this order (if the order meets the burden that protection is needed for

the petitioner), the court sets a hearing date within 10-20 days where the judge hears both sides to see if there is probable cause to issue a permanent protective order.

A Victim Assistant is happy to meet with you and aid you in filling out the paperwork and to explain the process to you. They will also go to the Protective Order hearing with you for support.

A protective order grants specific relief for the petitioner (you). The petitioner (you) may ask for relief such as keeping the respondent (perpetrator) from having any contact with the petitioner (you) or coming to the petitioner's (your) home. The protective order may award the petitioner certain property, custody of the children, etc. Only the relief that the judge initials is enforceable by police. Additionally, the Ex Parte (temporary) protective order is only valid IF the respondent is served. You must know an address or location where the respondent can be served the order at the time you file.

If a Judge signs your temporary protective order, you may want to call Utah Legal Services at 1-800- 662-4245 and see if an attorney will represent you for free at the permanent protective order hearing.

Be advised that if you go to the protective order hearing and the Judge grants you a permanent protective order, the awarding of custody and the stipulation for visitation is only good for approximately 150 days. You will need to make some decision fairly fast on whether you need to file for separate maintenance or divorce to maintain custody of your children. Protective orders are not granted solely for custody purposes.

If you need information on or help in filling out a Protective Order, contact Victim Services at 801-465-5224.

### **Restraining Orders:**

"Restraining Orders" are for individuals who do not fit the above criteria and feel they need a person restrained from having any contact with them. They require hiring an attorney to fill out the needed paperwork to submit to the court. The attorney attends the hearing with their client, and then if there are any violations of the restraining order, the attorney has to file a Contempt of Court motion with the Court. No arrest can be made by law enforcement officials on violation of this order. These are not for domestic abuse victims!

### **Criminal Protective Orders:**

If there has been an arrest or citation for a domestic violence offense, the victim may seek a criminal protective order through the City Prosecutor's office. This order is good as long as the defendant is under jurisdiction of the court. Contact a victim assistant and they will explain this process and the victim assistant will let the City Prosecutor know if you desire a criminal protective order in conjunction with the court case.

### **No Contact as a Condition to Release from Jail:**

If a person is booked into the Utah County Jail on a domestic violence offense, they cannot bail out of jail on this charge unless they sign a no-contact order with the jail. This simply means that the person who just bailed out of jail agrees not to have any contact with the victim of the domestic violence crime until 5:00 p.m. the next court day. For example, if the arrest takes place on Friday evening and the arrestee bails out Friday night on the domestic charge, the arrestee cannot have contact with the victim of the offense until 5:00 p.m. on Monday, assuming

Monday is not a legal holiday. This is a very temporary order and should not be considered to be a long-term safety measure.

There are also other orders available through the courts, which victim assistants will help you with including Protective Orders on behalf of a child and civil stalking injunctions. Please contact Victim Services at 801-465-5224 for more information.