

Violations

Violation of a Protection Order is a Crime

A violation of any provision of a protection order is punishable by up to 1 year in jail and a fine up to \$5000.00. Once a judge has issued a protection order and the respondent (person you need protection from) is served with notice of the protection order, it is then against the law to violate any part of the protection order. Call 911 or your law enforcement # and report the violation.. The majority of respondents take this protection order seriously, but some do violate this court order. It is important to notify the authorities immediately if it is violated.

Sexual Assault

If you have been Raped/Sexually Assaulted:

- Call 911
- Call a rape crisis line. (251- 4357) They can refer you to appropriate care and safety.
- Go to a hospital. It is important to receive treatment for possible exposure to sexually transmitted diseases. Crime evidence can also be collected there.
- Call or go to a friend's or relative's house where there is someone who can give you emotional support.
- Seek assistance from a counselor, hospital, rape crisis center or mental health center.

Victim's Rights

The law provides that crime victims shall have the right:

- To be present at all criminal proceedings
- To be given notice of criminal proceedings,
- To be heard, upon request, at criminal proceedings
- To be given an opportunity to speak with the prosecuting attorney assigned to your case
- To be allowed to refuse an interview request by anyone acting on behalf of the defendant, unless request is authorized by law (subpoena)
- To be permitted to give Victim Impact Statement at Sentencing
- To have any stolen or other personal property returned when no longer needed as evidence

Idaho VINE Service

VINE is an automated service that allows you to track custody status of offenders in jail or prison. You can register to be notified by phone or email if the custody status of an offender changes. To register call 1-866-984-6343 or visit www.vinelink.com TTY 1-866-847-1298

Victim's Compensation

You may be eligible for victim's compensation. Call our victim services for further information. This fund can directly reimburse victims of crime for related medical and counseling expenses not covered by other resources.

U-Visa/T-Visa (Immigrants)

You may be eligible for a U nonimmigrant visa. For more information visit www.uscis.gov

POCATELLO POLICE DEPARTMENT

Victim Services



Emergency
911

Non-Emergency
234-6100

Contact our
Victim Witness
Coordinator
Becky Rodriguez
234-6515

Case Information

Report# _____



Pocatello Police Victim Services

The Pocatello Police Department recognizes that the victims and witnesses of crime have the right to be treated with dignity, respect, courtesy and sensitivity. We would like to offer assistance to you by providing support, information and referral services.

Resources

Pocatello Police

Emergency	911
Pocatello Police Dispatch	234-6100
Pocatello Police Victim Services	234-6515

Shelter/Advocacy/Crisis Counseling

Family Services Alliance	232-0742
* Crisis Line	251-(help) 4357
National Suicide Prevention Hotline	800-273-8255 or 800-784-2433
Runaway Hotline	800-621-4000
Adult Protection	208-233-4032
National Alcohol Substance Abuse Hotline	800-784-6776
National Domestic Violence Hotline	800-799-7233
Safe Kids	208-238-2008
ISU Project Hope (Crisis Line)	282-4673
Bright Tomorrows Child Advocacy	234-2646

What do I do now?

If you have been named as a victim in a Pocatello Police Department law incident report, your first action would be to contact **victim services** at 234-6515. This phone call places you in direct contact with our victim services personnel and provides you with one contact number, therefore alleviating the need for you to make several unsuccessful phone calls trying to find the answers

to your questions. Understanding what has happened, why it happened, what will happen next, what types of resources are available and what your options and rights are can help alleviate stress and anxiety.

Why was an arrest made?

Research shows that violence can be prevented or reduced when authorities intervene. Otherwise, the cycle of violence and abuse may continue against you and your children, and may increase in frequency and intensity.

If law enforcement has been called to intervene and you find that an arrest has been made, PLEASE understand that Idaho Statute 18-903 and 18-918 combined define any unwanted touch as a battery. When that touch is committed within the confines of a domestic relationship Pocatello Police policy requires an arrest follow the incident for the reason of providing immediate protection to the victim.

Also understand the officers do not usually know whether the violence is an ongoing or isolated issue. Officers are mandated by law to make an arrest when an investigation shows that a battery has occurred.

What happens next?

If an arrest has occurred the next process for the offender is to appear before the Judge. This hearing is called an arraignment whereby the offender is given the opportunity to understand what they have been charged with, what the maximum penalties are, and plead guilty or not guilty to the charges. It is at this hearing that the Judge determines whether to issue a **No Contact Order (NCO)**. What happens at this hearing determines if other hearings will follow and whether the offender is released or given a bond. **If you, the victim, want to speak to the Judge regarding your wishes about the issuance of the NCO, you must attend this hearing. However, the issuance is at the discretion of the arraignment judge.**

No Contact Orders

The NCO may allow the accused person to return home briefly, ESCORTED BY A LAW ENFORCEMENT OFFICER, to obtain some personal items needed for hygiene and/or tools for work. You should not attempt to contact the accused after a NCO has been issued.

The purpose of the NCO is for you to have time to get the help you need to stop the cycle of violence by keeping the offender away from you. If you desire the NCO to be modified or terminated, a request for a hearing may be obtained through Bannock County Court Services located at 746 E. Lander. If you have any questions please call 234-6515.

Civil Protection Orders

If an NCO wasn't issued, you may still be eligible for a Civil Protection Order (CPO). A CPO protects:

- * current or former spouses
- * persons related by blood, adoption or marriage
- * persons who live or have lived together
- * persons who are or have had a dating relationship
- * persons who have children in common

A CPO can be issued between qualifying parties if there is evidence of: physical injury, sexual abuse, forced imprisonment or a threat of violence.

A Civil Protection Order can:

- Restrain the person from contacting you in any way
- Restrain the person who has been hurting you from entering your home, school, or where you work.
- Require the abuser to leave the household.
- Keep the children in your care.

How Do I Get One?

This protection order may be obtained **WITHOUT** a lawyer. Applications, called "Petitions", are available from the Clerk of the Court in the County where you live. Tell the Clerk you need protection from domestic violence. This is FREE. If you have any questions the 6 District Court Coordinator can be reached at 236-7421.