

Alameda Police Department



RESOURCE CARD FOR VICTIMS OF DOMESTIC VIOLENCE AND OTHER VIOLENT CRIMES

POLICE ASSISTANCE
Alameda Police Department
1555 Oak Street, Alameda CA 94501

Emergency: 911 • Information: (510) 337-8340 • Fax: (510) 523-5322

Revised February 2011

VICTIM / WITNESS ASSISTANCE

All victims of crime, their family members and witnesses of crimes may obtain information and assistance from the Victim/ Witness Assistance Division of the Alameda County District Attorney's office.

Phone: (510) 272-6180
8:30 AM – 5:00 PM Mon-Fri

Victim/Witness Assistance specialists will answer your questions and give you information. If they cannot help you directly, they will refer you to agencies in your community for services that meet your special needs, including medical care, counseling, transportation, court escort, State compensation claims, crisis intervention, and others. The Victim/Witness Assistance Division also gives special emphasis to helping several types of victims: domestic violence, senior citizens, sexual assault, and families of homicide victims. Victim consultants will be assigned to help with these cases.

Walk in: 8:30 AM – 11:00 AM and 1:00 PM – 4:00 PM

Victim Information & Notification Everyday (VINE)

VINE is an automated computer program offered for crime victims in Alameda County. The purpose is to provide victims of crime continuous access concerning an inmate's custody status. Call to register using your touch tone phone. (800) 511-1687

If Your Partner Abuses You.

You are not alone...

Domestic Violence affects many people and the entire community, regardless of race, ethnicity, religion, socioeconomic background or sexual orientation. Domestic violence is the single largest cause of injury to women, more than rape, muggings and car accidents combined.

Domestic violence is not just physical abuse ...

Abusers may use several ways of controlling their partners, such as verbal, emotional, financial, physical, and/or sexual abuse. Often, several of these kinds of abuse are used by abusers to exercise power over their partners.

You are not the cause of the abuse ...

People who abuse their partners learned to use abuse as a way of expressing their frustrations before meeting you. It is not your fault that you are abused. Nothing you do justifies someone abusing you.

The abuse you suffer affects your children ...

Children of families where abuse occurs are more prone to be abusers when they grow up. Generally, these children have problems in school and turn either very shy and quiet or very aggressive.

-save this brochure-

Report # _____

Police Officer _____

Incident Date _____

Comments:

DOMESTIC VIOLENCE IS A CRIME...

The police and the legal system are becoming more and more active in their efforts to stop domestic violence. It is illegal to physically abuse someone, even if that person is your partner or a family member.

If Your Partner Threatens Or Abuses You, You Need To Protect Yourself:

Call the police immediately.

Ask for protection. The police department is committed to arresting abusers and protecting victims of domestic violence. Ask how to obtain a copy of the police report. It is illegal for your partner to abuse you. In certain cases, officers cannot make an arrest themselves but must ask you to make a citizen's arrest. If you wish to make a citizen's arrest, the officer will be able to take the offender to jail. (You don't have to be a U.S. citizen)

If you are hurt, seek medical attention.

Ask for a copy of the doctor's report.

Don't hide the abuse.

You shouldn't feel ashamed or guilty for being abused. It is not your fault. When you talk to the police and/or doctors, tell them everything that happened. A detailed report will be more helpful.

VICTIM COMPENSATION ELIGIBILITY

The State of California will reimburse, within certain limits, victims of crime and their dependents for medical expenses (including psychological therapy), loss of wages, costs of job retraining and rehabilitation and burial expenses.

Property loss will not be compensated, with the exception of eyeglasses, hearing aids or other prosthetics stolen or damaged during the incident.

CALL the Victim Witness Assistance Division Alameda County District Attorney's Office for more information about your eligibility for State victim compensation and help with filing a claim.

Phone: (510) 272-6180, 8:30 AM – 5:00 PM Mon-Fri

POLICE INVESTIGATION

If you have questions regarding your case, please wait 48 hours after you receive this brochure before contacting the Alameda Police Department at: (510) 337-8340

OTHER 24-HOUR SUPPORT SERVICES

If you need assistance any time after the business hours of the Victim / Witness Assistance Division, Alameda County District Attorney's Office, the following phone numbers may be of assistance to you:

- Bay Area Women Against Rape.....(510) 845-RAPE
- Children's Hospital.....(510) 428-3000
- Highland Hospital.....(510) 437-4800
- Sexual Assault Hotline, Medical, Counseling Referral.....(510) 437-4800
ext. 44688
- Medical Social Service..... (510) 437-4688
- Berkeley Mental Health.....Emergency (510) 981-5254
Non-Emergency (510) 981-5900

CRISIS 24-HOUR HOTLINES

Suicide Prevention (Crisis Intervention, Grief Counseling, Support Lines)

- National Suicide Prevention Hotline.....(800) 273-TALK
- Midway.....(866) A WAY OUT
- Alameda County(800) 309-2131

SERVICES FOR HEARING IMPAIRED

Alameda TTY Communications Relay Srvc-Police, Fire or Medical..(800) 735-2929
Deaf Counseling Advocacy & Referral Agency.....(866) 680-0515
Deaf Hope (Domestic Violence Advocacy for the deaf).....TTY.. (510) 267-8800
Or email: Hotline@deaf-hope.org

MULTI-LANGUAGE SERVICE ASSISTANCE

Asian Community Mental Health.....(510) 451-6729
(Counseling - Afghani, Cambodian, Chinese, Japanese,
Laotian, Mien, Tagalog, and Vietnamese speaking).
Casa del Sol.....(510) 535-4000
(Counseling, Medical, Dental - Spanish speaking)

SERVICES FOR THE ELDERLY

Alameda County Adult Protective Services
(Assistance or Referrals)..... (510) 577-1900
24 Hour Abuse Hotline..... (866) 225-5277

COUNSELING FOR VICTIMS

Alameda Mental Health Center – Alameda.....(510) 522-4668
Jewish Family Service – Berkeley.....(510) 704-7475
Xanthos / Alameda Family Services Agency.....(510) 629-6300
West Oakland ... Mental Health.....(510) 465-1800
Parental Stress.....(510) 893-5444
Psychological Service Center Oakland.....(510) 628-9065
Building Futures With Women & Children – San Leandro.....(510) 357-0205

FREE MAIL FORWARDING & CONFIDENTIAL VOICE MAIL

Free Mail Forwarding – Safe At Home.....(877) 322-5227

Consider the option of leaving your home for a while.

You may need to leave to a safe place so you can think more clearly and be free of threats and violence. Have a safety plan to leave with your children. Take documents, such as birth certificates, social security cards, passports, and green cards with you. If you need it, ask for police protection. Go to a friend's or relative's house where you will be safe, or call a women's shelter. We have listed numbers for shelters in this brochure.

Consider taking legal action.

Taking legal action against your abuser, such as obtaining a restraining order against him/her, it may not only protect you, but also show your abuser that abusing you is illegal and unacceptable.

LEGAL PROTECTION

Officer Arrest

The Alameda Police Department is committed to protecting persons who are victims of domestic violence. Officers will arrest and take to jail those offenders who violate our domestic violence laws.

Obtaining court restraining orders (cont.)

There is no fee for domestic violence or civil harassment orders. A restraining order can do the following:

- Restrain the offender from abusing you and other family members.
- Direct the offender to leave the household.
- Prevent the offender from entering your residence, school, business or place of employment.
- Award custody of or visitation with a minor child or children to you or the other parent.
- Restrain the offender from molesting or interfering with minor children in your custody.
- Direct the party not granted custody to pay support of minor children, if the party has a legal obligation to do so.
- Direct the party to make specified payments coming due while the order is in effect.
- Direct the party or parties to participate in counseling.

Restraining Order Information

Alameda.....(510) 263-4305
Oakland.....(510) 891-6028
Family Violence Law Center.....(510) 208-0255

Civil Suits

You may file a civil suit for losses suffered as the result of the abuse, including medical expenses, loss of earnings and other expenses for injuries sustained and damage to property, and any other related expenses that you or an agency helping you incurred.

Victim Assistance/Legal Questions

If you have questions regarding criminal or civil issues, or if you need information about how to file a criminal complaint against the offender, contact the Victim/Witness Assistance Division of the District Attorney's Office, (510) 272-6180, or the other resources listed later in this brochure under, "Legal Assistance."

Enforcing Court Restraining Orders

If you have obtained a restraining order against the offender, and the offender knowingly violated the order, he/she will be arrested and, in most cases, taken to jail. MAKE SURE THE POLICE DEPARTMENT RECEIVES A COPY OF THE RESTRAINING ORDER.

Obtaining Court Restraining Orders

Restraining orders can be obtained at the Alameda Municipal Court, Room 101, 2233 Shoreline Dr., Alameda. If you are suffering from physical abuse or there is a threat of physical or emotional harm from a current or former partner or date, your child's other parent, or a close family member, you may apply for a restraining order. A restraining order can currently be issued for up to 5 years.

SERVICES IN THE COMMUNITY

For information about other services in the community, where available, you may contact the agencies and phone numbers listed in this brochure.

LEGAL ASSISTANCE

If you need an attorney, contact any of the following agencies:

- Alameda County Lawyer- Referral Service.....(510) 302-2222
- Family Violence Law Center.....(510) 208-0255
- Community Law Center (Family Law Only).....(510) 836-1247
- Alameda County Mediation Services.....(510) 733-4940

SHELTERS AND/OR CRISIS COUNSELING

There are places that will give you advice about your immediate problems or help you find another place to stay. Feel free to contact shelters which are located far from your home. You may be safer if you are harder to find. For further information about a shelter or other immediate help, you may contact the following 24hr hotlines.

COUNSELING FOR OFFENDERS

Contact any of the following agencies:

- Xanthos, / Alameda Family Service Agency.....(510) 629-6300
- Mental Health Department - West Oakland.....(510) 465-1800
- Psychological Services Center - Alameda.....(510) 628-9065
- Center for Special Problems - San Francisco.....(415) 292-1500

SERVICES FOR THE DISABLED

- Alameda County Behavioral Health.....(510) 867-8100
- Alameda County Adult Protective Svcs.....(510) 577-1900
- Disabled Community Health...Alta Bates / Summit Med Ctr.....(510) 204-4738

24HR. HOTLINES

- Midway – Alameda.....(510) 522-2936
- A Safe Place – Oakland.....(510) 536-7233
- A Second Chance – Newark.....(510) 792-4357
- Abused Women's Services – Marin County.....(415) 924-6616
- Stand – Concord.....(888) 215-5555
- Emergency Shelter - Hayward.....(510) 786-1246
- La Casa de Las Madres - San Francisco.....(415) 503-0500
- Raphael House - San Francisco.....(415) 474-4621
- S.A.V.E. – Fremont.....(510) 794-6055
- United Filipinos.....(510) 522-6420
- Mobile Response Team.....(800) 947-8301

**Victims' Bill of Rights
Marsy's Law**

The California Constitution, Article 1, Section 28, confers certain rights to victims of crime as they are defined in the law. Those rights include:

1. Fairness and Respect. To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
2. Protection from the Defendant. To be reasonably protected from the defendant and persons acting on behalf of the defendant.
3. Victim Safety Considerations in Setting Bail and Release Conditions. To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
4. The Prevention of the Disclosure of Confidential Information. To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
5. Refusal to be Interviewed by the Defense. To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

**Victims' Bill of Rights
Marsy's Law (continued)**

11. Receipt of Pre-Sentence Report. To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. Information About Conviction, Sentence, Incarceration, Release, and Escape. To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
13. Restitution
 - A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
 - B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
 - C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

**Victims' Bill of Rights
Marsy's Law (continued)**

6. Conference with the Prosecution and Notice of Pretrial Disposition. To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.
7. Notice of and Presence at Public Proceedings. To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. Appearance at Court Proceedings and Expression of Views. To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. Speedy Trial and Prompt Conclusion of the Case. To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
10. Provision of Information to the Probation Department. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.

**Victims' Bill of Rights
Marsy's Law (continued)**

14. The Prompt Return of Property. To the prompt return of property when no longer needed as evidence.
15. Notice of Parole Procedures and Release on Parole. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.
16. Safety of Victim and Public are Factors in Parole Release. To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
17. Information About These 16 Rights. To be informed of the rights enumerated in paragraphs (1) through (16).

For more information on Marsy's Law, visit the Attorney General's website at: www.ag.ca.gov/victimservices

To obtain information on the Victim Witness Assistance Center nearest to you contact:

**Attorney General's Victim Services Unit
1-877-433-9069**