

## SHELTER & CRISIS COUNSELING

For advice about your immediate problem, for further information about a shelter, other services in the community, and their availability, you may contact any of the following agencies. Feel free to request shelters which are located far from your home. You may be safer if you are harder to find.

1. **STAND** (Formerly Battered Women's Alternatives)  
Contra Costa County 24 hr. **HOTLINE**  
(888) 215-5555
2. **RAPE CRISIS** — East County (925) 798-7273
3. **VICTIM/WITNESS PROGRAM — PROBATION DEPT**  
Martinez Office  
50 Douglas Drive, Martinez (800) 648-0600

## COUNSELING FOR OFFENDERS



1. **STAND! DV TREATMENT PROGRAM**  
Contra Costa County (925) 757-8101

## LEGAL ASSISTANCE



1. **STAND! (Legal Advocacy) (925) 676-2845**
2. **C.C.C. Bar Association Attorney Referral Panel (925) 686-6900**
3. **Bay Area Legal Aid: (925) 439-9166**
4. **Website: [www.cc-courthelp.org](http://www.cc-courthelp.org)**

*(Virtual Self-Help Law Center includes free forms, videos, computer safety, information on Domestic Violence Prevention Orders and free or low cost Legal Aid information)*

## ALCOHOL ABUSE

Alcoholics Anonymous (925) 939-4155

## CHILDREN & FAMILY SERVICES

In some incidents of domestic violence where children are present and/or involved, "Children & Family Services" (CFS) may be notified (P.C. 11166). The mission of CFS is to protect children from abuse and neglect (i.e., witnessing abuse and/or being put in harm's way), and to promote the well-being of children and families. CFS has the ability to provide you with supportive services that can assist you in the development of a plan to ensure the safety of all members of your family, including access to services such as counseling, substance abuse treatment, anger management classes, and parent education. In those situations where children cannot and/or are not being cared for by their families due to safety issues, CFS can place the children in a safe family environment and help you and your family take the steps necessary to reunite with your children. CFS Believes:

- 1.) **CHILDREN SHOULD BE RAISED BY A FAMILY**
- 2.) **ALL PEOPLE SHOULD BE TREATED WITH RESPECT**

### Oakley Police Department Resource Card

Complaint /Victim	
Date of Incident	Time
Defendant Name	
Arrested : Yes No	Police Report No.
Cited: Yes No	
Responding Officer	ID No.
Advised of Restraining Order Conditions Yes No	
If yes, Specify Conditions Advised of :	
Advised by Officer (Name)	ID No.
Comments:	



# RESOURCE INFORMATION FOR VICTIMS OF DOMESTIC VIOLENCE

## City of Oakley Police Department

To report a crime, call:  
**Oakley P.D. Dispatch**  
**(925) 625-8060**

Administrative offices:  
Oakley Police Department:  
(925) 625-8855

## EMERGENCIES ONLY

Dial  
**9-1-1**

## POLICE PROTECTION



### A. OFFICER ARREST (836PC)

The Oakley Police Department is committed to protecting victims of domestic violence. Domestic violence is criminal conduct; it shall be investigated as any other crime. In incidents of domestic violence, an arrest can be made by the officer in cases of felony or misdemeanor assault.

### B. CITIZEN'S ARREST (837PC)

In certain cases, officers cannot make an arrest themselves, but you can make a citizen's arrest. The officer will inform you about how to safely arrest the batterer. In most cases, the officer will be able to take the batterer to jail.

### C. CITATION & RELEASES (853.6PC)

If the officer determines that there is not a reasonable likelihood that the offense will continue or resume, or that the safety of persons or property would be imminently endangered by release of the person arrested, the officer may cite and release him/her. The officer will write the case file number on this form. BE SURE TO KEEP THIS FORM FOR FUTURE REFERENCE, i.e., when talking to a police agency seeking legal advice and shelter, pressing charges or if the violence should occur again, etc.

### D. CONSIDER YOUR OWN SAFETY

In some instances, the offender will be released from jail and may return. You should consider your own safety needs and seek shelter with friends, or public accommodations, if appropriate.

### E. FILING A CRIMINAL COMPLAINT

Local law enforcement agencies present cases to the Contra Costa County District Attorney's Office for case disposition. Although Victim cooperation is helpful, the decision as to whether charges are filed in a reported domestic violence incident lies with the District Attorney's Office, not the Victim. The D.A.'s Office will also make the decisions about the best way to process a case, including whether or not a warrant should be issued and/or whether or not a case should be prosecuted as a misdemeanor or a felony.

YOU MAY CONTACT THE CONTRA COSTA  
COUNTY DISTRICT ATTORNEY'S OFFICE AT  
THE FOLLOWING PHONE NUMBER:  
(925) 646-4770

## LEGAL INFORMATION



### A. SUPERIOR COURT ORDERS

You have the right to go to the Superior Court and file a petition requesting any of the following orders for relief at no cost:

1. An order restraining the attacker from abusing you and other family members.
2. An order directing the attacker to leave the household.
3. An order preventing the attacker from entering your residence, your school, business, or place of employment.
4. An order awarding you, or the other parent, custody or visitation with a minor child or children.
5. An order restraining the attacker from molesting or interfering with minor children in your custody.
6. An order directing the party not granted custody to pay support of minor children, if that party has a legal obligation to do so.
7. An order directing the defendant to make specified debt payments.
8. An order directing that either or both parties participate in counseling.
9. An order for restitution.

### B. CIVIL SUITS

You have the right to file a civil suit for losses as a result of the abuse, including medical expenses for injuries sustained and damage to property and any other related expenses incurred by the victim or any agency that shelters the victim.

### C. RESTRAINING ORDER INFORMATION

#### 1. Who can obtain a Restraining Order?

Anyone who has been threatened, harassed, abused or assaulted, whether or not you're married, and whether or not you live with the person threatening you. If you are married, you don't have to get a divorce to get a restraining order.

#### 2. How much does it cost ?

There is no court filing fee for restraining orders resulting from violence.

#### 3. Serving the defendant

Any adult, not a party to the action, may serve the defendant, but before making that decision, the threat of violence should be considered. If you receive any kind of Government Aid ; AFDC, SSI, Food Stamps, or if you work, but don't have enough to live on, you can request a fee waiver from the Judge, then ask the Sheriff's Civil Division (925 313-4200) to serve the defendant.

#### 4. What can the Restraining Order do?

Order people to refrain from engaging in a wide variety of behavior, i.e., molesting, threatening, assaulting (sexually or otherwise), battering, disturbing, etc., and can exclude one party from the family dwelling or the dwelling of the other.

#### 5. Who can help in obtaining a Restating Order?

See Legal Assistance Section for a website you can access for obtaining forms from the Superior Court and free or low cost legal aid.

#### 6. How long does it take to get a Restraining Order?

It is possible to get a TRO (Temporary Restraining Order) within 4 hours or it may take as long as 3 days.(See Legal Assistance for a phone number ) Call all numbers to see who can help you in the least amount of time.

#### 7. What do I do if the defendant violates the Restraining Order?

Note: The best practice is to always have a copy of the restraining order and proof of service with you. Also, have a copy of the restraining order and proof of service on file with the police agency or agencies within whose jurisdiction a domestic violence incident has occurred or could occur.

- a.) Call the police agency having jurisdiction where the violation of the restraining order is taking or has taken place.
- b.) Ask that a formal report be taken, even if the defendant has left.
- c.) If the officer has reasonable cause to believe that the defendant had notice of the order and has violated it, he may arrest the defendant or you may request a citizen's arrest
- d.) It is a crime to violate a Restraining Order! For information on how to follow through with the criminal case: 1) Ask the responding officer or 2) Follow the same steps as filing a criminal complaint or 3) Refer to the Legal Assistance Section for a phone number to call. It is important to follow through on criminal charges. The defendant MUST understand that he/she cannot violate the court order. If you back down from enforcing the order, the defendant will probably not feel the order is serious and continue his/her violent behavior.

#### 8. Emergency Protective Order (EPO)

If you are in immediate threat of danger, you may request an EPO from the police. EPOs are issued when court is not in session. There is no charge. The order is valid for 5 court days, not counting the day the order is issued.

### D. SEXUAL ASSAULT

Sexual assault by a person who is known to the victim, including sexual assault by a person who is the spouse of the victim, is a crime. If you are the victim of a sexual assault, go to a safe place immediately and call the police. Do not wash, douche, change clothes or clean up in any way until after talking to the police and you are enroute to the hospital. This avoids destroying valuable evidence.

*Save this pamphlet in a safe place*