

### Why Orders Of Protection Can Be Helpful

While an order of protection cannot guarantee your safety, it can help in several ways.

- If you have an order of protection and the abuser violates the order, the police can arrest and place the abuser in jail.
- If the police have reason to believe an abuser violated a “stay away” provision of an order of protection, the police must arrest the abuser.
- If an abuser is convicted of violating an order of protection and has violated one in the past, even against a different victim, the abuser can be charged with criminal contempt in the first degree. This is a felony offense.
- If an abuser violates an order of protection by causing physical injury or property damage over \$250 dollars, the abuser can be charged with a felony.
- If you have left your home, an order of protection can make it easier for you to get the police to go with you to get your personal belongings.
- If you are being stalked or harassed at work, an order of protection may help your employers understand the need to safety plan at work.

Specifically, Criminal, Supreme and Family Court orders of protection can:

- direct the abuser to stop the abusive behavior toward both you and your children;
- tell the abuser to leave and stay away from your home, your job, and your family;
- order the abuser to refrain from injuring or killing any companion animal;
- direct the abuser to have no contact with you – meaning no phone calls, email, letters, messages, etc. through other people; and
- order the abuser to stay away from the children and their baby-sitter, day care or schools.

Family Court orders can also do additional things. *(See Getting the Evidence Together.)*

Orders of protection can also order suspension or revocation of a license to carry or possess a gun, rifle or any other type of firearm. If your abuser has access to such weapons, it is important that you tell the judge and ask that these weapons, and the gun permits, be taken away from your abuser. If your abuser carries a job-related weapon (such as a police or corrections officer) and has used that weapon to threaten you, it is especially important to report that to the judge.

An order of protection from Family Court can be issued for up to five years and from Criminal Court can be issued for up to eight years, although judges in both courts typically issue orders for much shorter periods of time. While orders of protection can be helpful, these orders cannot guarantee that your partner will stop being abusive or violent. Some abusers choose not to obey orders of protection and you may have to contact local law enforcement or go back to court to make sure these orders are enforced. This should not discourage you from using the law to help make you safe.

Know your rights. You are the best judge of whether getting an order of protection will be helpful in your situation. Domestic violence advocates and other survivors can help you decide whether getting an order of protection is a good strategy for you. They can also provide help and information if you need assistance in getting an order of protection or in having an existing order enforced. *(See Enforcing an Order of Protection.)*

Whichever court you choose to use, it is important to remember that you have a right to keep your address confidential. If you have moved to a new, safe location or if you are staying in a domestic violence shelter, you do not have to give the judge or the court your address. The courts routinely ask for this information, so you will have to say that you are afraid to let your abuser know where you are now living.