

## **DOMESTIC VIOLENCE**

In 2014, the District Attorney's office prosecuted more than 5,400 cases of domestic violence. Our office is committed to assisting victims of domestic violence with navigating the criminal justice system and making sure offenders are held accountable for their actions. In September, 2014 the office increased the number of attorneys handling these important cases. Specialized assistant DA's and Victim Witness Coordinators work directly with victims as their cases go through the court system. On November 18, 2014, District Attorney General Glenn Funk announced the creation of a new investigative division to focus solely on domestic violence cases. The new division, called Domestic Violence Prosecution Support, will ensure greater support for victims, partnerships with police and the removal of handguns from persons convicted of domestic assault.

Tennessee statute (T.C.A. 39-13-111) defines Domestic Violence as committing one of the following against a family or household member:

- a) Intentionally, knowingly, or recklessly causing bodily injury to the victim, or
- b) Intentionally, knowingly, or recklessly causing the victim to reasonably fear imminent bodily injury, or
- c) Intentionally or knowingly causing physical contact that a reasonable person would regard the contact as extremely offensive or provocative.

Others offenses frequently seen between intimate partners or family members are also classified as Domestic Violence. They include Homicide, Attempted Homicide, Rape, Kidnapping, Aggravated Assault, Harassment, Stalking, Protective Order Violations, Vandalism, Theft and Cruelty to Animals.

### **Q. Where do I report domestic violence?**

If the situation is immediate, you need to call 911 to have an officer respond to help you. If it is not an emergency, but someone has made phone calls to you or has previously assaulted you, you may call the non-emergency line at 615-862-8600 to make a police report. You may also call the Domestic Violence Unit of the Police Department and make an appointment to meet with a detective. You can reach the DV Unit at 615-880-3000.

### **Q. When will I find out court information about my case?**

Once someone has been arrested, a Victim Witness Coordinator from the DA's Office will contact you about your case. If the person is still in jail, the court date will happen very quickly (within 5 days of the arrest). If you know the person is in jail, but you have not received court date information, PLEASE call the DA's Office immediately and ask to

speak to a Victim Witness Coordinator. If the person charged made bond and has been released from jail, you will receive a letter in the mail within a week after the incident. This letter will tell you the first court date and will give you the name and number of the Victim Witness Coordinator handling your case.

**Q. Do I need an attorney?**

You do not need to hire an attorney to handle the criminal charge(s) against the defendant. By law, the Assistant District Attorney that handles your case represents your best interests and the interests of the citizens of Davidson County. If you have filed for an Order of Protection to have this person be ordered to have no contact with you, you CAN hire an attorney to represent you for this matter. Keep in mind that at the hearing date for the Order of Protection, the judge has the jurisdiction to determine child support, visitation, custody and spousal support. It is in your best interest to have legal representation while those matters are being decided.

**Q. Can I drop the charges?**

No. As the victim of crime, you certainly have the right to let the Victim Witness Coordinator and the Assistant District Attorney know how you feel about your case. However, it is ultimately the decision of the Assistant District Attorney to decide how the criminal charges are pursued.

**Q. What should I bring to court with me?**

Bring anything that you have that will help with the prosecution of your case. This would include photos of your injuries, photos of damage to your property, estimates of damage or receipts of having property replaced or fixed, caller IDs to show calls that you received, and any witnesses (including family members, coworkers or neighbors) who may have heard or seen what happened.

**Q. Do I have to come to court?**

If you receive notice from the Sheriff's Department or the District Attorney's Office saying that you are subpoenaed to court, then you are under court order to be in court, and you must be there. There may be some court dates that occur that you do not have to attend. You may always call your Victim Witness Coordinator to see if you are supposed to be in court or not.

**Q. Who will be at court that can help me?**

A Victim Witness Coordinator will always be in court to help you. She will make sure the Assistant District Attorney knows you are present. She will answer any questions you have, and she will make sure you know what to expect if you have to testify in front of the

judge. She will also make sure that when your case is resolved, you understand what happened and you know what to do if there are further problems.

**Q. Will he/she (the person charged) be in the courtroom?**

If the person is in jail, they will only be brought into the courtroom when it is time for their case. Otherwise, they will be in a holding cell beside the courtroom. If the person is on bond, they will be in the courtroom.

**Q. What will be the outcome of my case?**

The Assistant District Attorney has to take into account three things when trying to decide how to handle your case. These are 1) the facts and charges of this particular case, 2) the defendant's previous convictions, and 3) what you want to see happen. They look at all of these things and then determine if this is a case that can be resolved at the General Sessions level of court or whether the case needs to be taken up to Criminal Court.

**Q. Where can I file an Order of Protection?**

You can file a petition at night court or by visiting the Jean Crowe Advocacy Center (JCAC) in the Ben West Building. The JCAC provides advocacy and assistance in filing an order of protection.

The JCAC is open Monday-Friday from 8:00am-4:00pm at 615.862.4767 or at [jeancroweadvocacycenter@nashville.gov](mailto:jeancroweadvocacycenter@nashville.gov). To file a petition after 4:00pm or during weekends and holidays, visit Morning Star Sanctuary's satellite office in the night court area or call 615-862-5197. You can also contact the Domestic Violence Unit of the Police Department at 615-880-3000 or your victim witness coordinator in the DA's Office.

**Q. What do I do if the person charged doesn't leave me alone or assaults me again?**

You should always call the police if you are in immediate danger. If the person is on probation, you can call their probation officer at 615.862.8380 to report further problems. You can also call the Domestic Violence Unit of the Police Department at 615.880.3000 and speak with a detective about whether or not new warrants are necessary. The Jean Crowe Advocacy Center can provide additional resources or guidance at 615.862.4767.

**Q. Where can I get counseling for me and/or my children?**

Free counseling is available through the Metro Police Department's Domestic Violence Unit (615-880-3000). You can also call Morningstar Sanctuary (615-860-0003), the YWCA (615-242-1199), Family and Children's Services (615-320-0591).