



DOMESTIC VIOLENCE - TAKING ACTION

If you decide to move out for a short time or for good, you need to consider the following:

1. Taking the Children

You can legally take your children with you when you move out, unless your husband has been given sole legal custody of them. The children could be targets for abuse if you're not there. If you believe you are in danger and cannot take your children, the police should be contacted immediately to arrange for their temporary protective custody. This does not mean you will lose your right to custody of your children. The issue of permanent custody will be decided later by a judge.

2. Where to Go

If possible, you should stay with a female friend or relative. You should not stay with a man who lives alone unless he is your brother, father or grandfather. Living with a man you are not married to could hurt your chances of getting custody of your children or getting spousal support. It could also cause further conflict with the abuser.

You and your children may also be able to stay at a Domestic Violence Shelter (Women's Crisis Center: 491-3335) or another shelter for women and children. This is a temporary place to stay while deciding what you want to do next. The staff at the shelter can help you get legal, financial and medical help. You will also have an opportunity to talk with other women who may have been battered. Fees may be on a sliding scale or there may be no cost.

If you take your children with you, you should try to give them as much stability as possible. Moving frequently may affect your children emotionally and may also affect your chances for custody. Plan ahead! You should choose a nearby, safe place where you can go in an emergency to make a phone call. This can be a fire station, a 24 hour store or gas station, or a neighbor.

3. What to Take

When leaving, whether for a short time or for good, you should be sure to take the following items:

- driver's license or State ID
- money & / or checkbook
- credit cards
- keys
- medications
- address book
- green card (immigration verification)

If there is time, you should also consider taking as many of the following items as possible. *You may have difficulty going back for these items.*

- Children's birth certificates
- Your birth certificate
- Registration
- Lease, rental agreement, deed to house
- Bankbooks
- Insurance papers
- Small objects to sell
- Pictures
- Medical records (for the whole family)
- Social Security cards (yours & children's)
- Welfare ID
 - School records
- Passport
 - Divorce papers
- Jewelry

If you are thinking about leaving, it would be a good idea to put these things together, in a bag and hide it so that they are all together when you are ready to leave. Remember, legally, you can take anything that belongs to you alone or to you and your partner jointly. You can withdraw money you have in a joint bank account. You may not take anything that belongs to your partner alone. You may not destroy any property that belongs to your partner alone or that you own jointly. If you do not get everything you need when you leave, you can ask the police to escort you back to your house later to pick up items. The police will wait only a few minutes to allow you to take things that obviously belong to you or your children, such as clothing. You could also wait until your partner is at work or left for some other reason and then go to the house to get what you need. However, if you do go back and your partner won't let you in; the police cannot force him / her to let you in without a court order.

4. Once You Move

If you are concerned that your attacker may try to find you, you should be careful about who you talk to. Be very careful about giving out your new address or phone number. If someone needs to contact you, you might consider giving them the phone number of a friend, family member or attorney where he / she can leave a message.

5. The Abuser Moving Out

Some abusive partners move out voluntarily. This is more likely if the family or other support system is aware of the abuse and does not approve of the behavior.

When an abuser is unwilling to move out, this may be accomplished through court order. This order can be issued or result from criminal charges, Emergency Protective Orders or divorce.

6. Staying

If you decide to stay with your abusive partner, it is important for you to maintain the support systems you established during the crisis. These include counseling, maintaining contact with various advocates, continuing with opened communication and maintaining a safe escape if that becomes necessary. If you are being assaulted in your home, and it becomes life threatening, that is a criminal offense. You are not alone and you do not deserve the abuse.