

LEGAL RIGHTS OF FLORIDA'S VICTIMS OF



- Domestic Violence
- Dating Violence
- Sexual Violence
- Repeat Violence
- Human Trafficking

Florida's Statewide DOMESTIC VIOLENCE HOTLINE
1-800-500-1119

Press #3 for Legal Advice
Press #1 for Spanish/Creole/Haitian

Your conversation with legal hotline attorneys and/or domestic violence staff will be kept confidential and private.

Florida law protects victims of DOMESTIC VIOLENCE

Domestic violence includes any assault, battery, sexual assault, sexual battery, stalking, kidnapping, or any other crime resulting in physical injury, caused by a:

- Spouse/former spouse
- Person related by blood or marriage
- Person who you are living together with as a family or have lived with as a family
- Person with whom you have a child in common

Florida Law protects victims of DATING VIOLENCE

Dating violence means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The relationship must have existed within the past six months.

Florida law protects victims of SEXUAL VIOLENCE

Certain victims of sexual violence may obtain an injunction against the perpetrator. **Sexual violence** includes any one incident of sexual battery, a lewd or lascivious act committed on or in the presence of a person under 16 years of age, luring or enticing a child, or any other forcible felony wherein a sexual act is committed or attempted.

Florida law protects victims of REPEAT VIOLENCE

Repeat violence means two incidents of violence or stalking committed by an abuser against the victim or the victim's family. At least one incident must have occurred within six months of when you ask the court for help.

Florida law protects victims of HUMAN TRAFFICKING

Trafficking in humans is a form of modern day slavery and is a crime under both state and federal law. Victims of **human trafficking** are subjected to force, fraud, or coercion for the purpose of sexual exploitation or forced labor. Victims of human trafficking are protected by law, and the state provides social services and benefits to alleviate their plight. Florida law provides that any person who engages or attempts to engage in human trafficking (under specified conditions) commits a second degree felony.

YOUR LEGAL OPTIONS

Injunction:

If you are a victim of domestic or other types of violence, or have reason to believe you are in imminent danger of becoming a victim of domestic violence, you have the right to ask the court for legal protection from the person who is abusing you. This protection is called an "injunction." There is no filing fee to ask the court for an injunction.

An **injunction** against domestic violence may include an **Order** that:

- Commands the abuser to stay away from and have no contact with you
- Awards you temporary exclusive use of the house you both share
- Prevents the abuser from entering your home, school or place of employment
- Awards you temporary custody of your minor children
- Requires the abuser to pay temporary child support for you and your minor children if the abuser is the parent
- Directs the abuser to attend a Batterer's Intervention Program

Out-of-State Injunctions:

If you have moved to Florida and have an injunction against an abuser in another state, you may give a certified copy of the injunction to a sheriff and ask the sheriff to put it into a registry so that the injunction may be enforced in this state.

Criminal Complaint:

If you are a victim of domestic violence, dating violence, sexual violence, or repeat violence, you may ask the state attorney to file a criminal complaint against the abuser.

Immigrants:

If you are a domestic victim and have immigration questions, contact the Florida Immigrant Advocacy Center, Inc (FIAC). FIAC is a non-profit legal assistance organization dedicated to protecting and promoting the basic human rights of immigrants of all nationalities. Call FIAC's Miami-area office at 1-305-573-1106 or Fort Pierce-area office at 1-772-489-4660.

YOU AND YOUR CHILDREN HAVE THE RIGHT TO BE FREE FROM DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL VIOLENCE, REPEAT VIOLENCE AND HUMAN TRAFFICKING.

Domestic violence takes on many forms, including but not limited to:

- Kicking, pushing, hitting, slapping, strangling or any other unwanted physical contact
- Threatening to kill or hurt you or someone you love
- Forcing you to have sex
- Controlling you by threatening to take your children, not allowing you to see friends or family, threatening to report you to the police or force you into a mental hospital, not allowing you to get medical help or social services, denying you access to money or other resources
- Stalking you by willfully, maliciously and repeatedly following, harassing, or cyberstalking you. **Harrass** means to engage in a course of conduct directed at a specific person that causes that person substantial emotional distress and serves no legitimate purpose. **Cyberstalk** means to engage in a course of conduct directed at a specific person, by or through the use of electronic mail, causing that person substantial emotional distress and serving no legitimate purpose.

The mission of the **Florida Coalition Against Domestic Violence, INC. (FCADV)** is to create a violence-free world by empowering women and children through the elimination of personal and institutional violence and oppression against all people.

FCADV provides leadership, advocacy, education, training, technical assistance, public policy and development, and support to domestic violence center programs.

FCADV serves as the statewide advocacy and public policy organization for Florida's 40 certified domestic violence centers.

FCADV provides civil legal assistance to victims throughout the state of Florida through its Legal Clearinghouse and Legal Assistance for Victims Projects and by the statewide domestic violence hotline operated by Florida Legal Services.



****TTY HOTLINE****
1-800-621-4202

Or use the Florida Telecommunications Relay Service by dialing 711 to access your local domestic violence center.

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