

Upper Arlington Victim Assistance Program



A Reference Guide for Victims of Domestic Violence and Other Violent Crimes

Domestic violence is perhaps the most insidious of all crimes. The crime is committed by a family member, a loved one, someone familiar to the victim. The crime has a ripple effect in that everyone in the household, oftentimes an employer, and others are impacted by the violence. Fear often prevents the crime from being reported. "It won't happen again," or "I asked for it," or "He is just frustrated," are often repeated by victims who deny the impact violence has in their lives.

What is Domestic Violence?

Domestic violence is a crime. It is defined by the Ohio Revised Code 2919.25 as:

- (a) Knowingly cause or attempt to cause physical harm to a family or household member.
- (b) Recklessly cause serious physical harm to a family or household member;
- (c) By threat of force, knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

Violation of division (a) or (b) is a misdemeanor of the first degree. A violation of (c) is a misdemeanor of the fourth degree.

Upper Arlington Victim Assistance Program

As soon as a Domestic Violence incident is reported, the Upper Arlington Victim Assistance Program begins:

- The Prosecutor is initially contacted by the Upper Arlington Police. The Prosecutor is available at all times to help the victim and answer any question. If a charge is filed, the Prosecutor and victim are informed of the date, time and location of the Temporary Protection Order hearing.
- The Prosecutor meets the victim before the Temporary Protection Order hearing in court to explain the victim's role in the prosecution procedure and the possible penalties for the defendant.
- The Prosecutor discusses with the victim what a Temporary Protection Order is and how it operates. The Prosecutor also informs the victim about the CHOICES counseling program.
- The victim is given an information manual that addresses questions regarding domestic violence.

Contact an Advocate Program

614-398-1540

uatext1@gmail.com

Contact an Advocate is an additional resource available for individuals that may need contact with an advocate to assist with concerns about domestic violence or similar crimes. This is an information/referral service designed to assist domestic violence victims and other victims of crime and provides an additional option for communicating with a victim advocate.

Text 614-398-1540 or send an email to uatext1@gmail.com to reach out to the City's victim advocate so that you may be guided to the appropriate resources. You should expect a response within 48 hours or the next business day.

IMPORTANT NOTICE: If a victim is experiencing an emergency situation, text or dial 911 for immediate assistance. The Contact an Advocate Program is not a substitute for emergency services and is not monitored 24 hours a day. This program is intended as an added resource for victims of domestic violence or other similar crimes but not a substitute for any necessary law enforcement action needed to protect victims of crime.

Text to 911

A Text to 911 feature is available in Upper Arlington, enabling residents to send a text for assistance:

- If you are in a threatening situation and a voice call would increase the threat
- If you are unable to speak due to an injury
- If you are deaf, hard of hearing or have a speech disability
- If mobile phone reception is poor

Type in the numbers 911 in the "to" field. Then type a brief but informative message (do not include images), with your location and the type of emergency. Then press "send."

Some other useful information about this emergency option:

- The delivery of 911 text messages may be slightly delayed or could even fail.
- The text for emergency assistance cannot go to more than one recipient. Do not copy any other contacts on your text.
- Unless you have indicated that you are in a threatening situation and do not want a response, you will be notified that your text has been received from the 911 call center.
- If you are experiencing a threatening/domestic violence situation that could worsen if your text is found by your abuser, delete the text as soon as you have sent it.

Steps in the Prosecution Process

Before a domestic violence case court date, the following occurs:

1. The victim is interviewed by police and completes a Domestic Violence Information Sheet to assist the prosecutor.
2. The victim signs a Victim Request Form outlining the necessary elements of domestic violence, and documenting the victim's course of action chosen for the case.
3. The victim is informed of domestic violence charges against the offender and receives a copy of information and safety hints.
4. The victim is informed about and given a copy of the Temporary Protection Order procedures.

Court Proceedings

A typical Domestic Violence case in Franklin County Municipal Court is divided into three steps:

- I. **ARRAIGNMENT** - The victim must attend if requesting a Temporary Protection Order. This is not a trial. Its purpose is to:
 - A. Inform the defendant, or abuser, of the charges against him/her, and of his/her rights;
 - B. Set bond if necessary;
 - C. Allow the defendant to make one of three pleas: guilty, not guilty, or no contest. If a plea of guilty is made, the judge may sentence the defendant at this time; and
 - D. Issue, if requested, a Temporary Protection Order.
- II. **PRE-TRIAL HEARING** - The victim must appear if subpoenaed. This is not a trial. Its purpose is to:
 - A. Give the prosecutor and defense counsel an opportunity to exchange information and discuss the case;
 - B. Give the defendant an opportunity to change his/her plea from not guilty to guilty; and
- III. **TRIAL** - The Victim and witness must attend if subpoenaed. Its purpose is to:
 - A. Give the defendant a right to have his/her case heard by a judge or jury;
 - B. Have eight jurors or a judge consider the testimony of the police officer, victim, defendant or other evidence; and
 - C. Have the judge or jury determine the guilt or innocence of the defendant by hearing all of the evidence.

For Your Information

- Temporary Protection Orders are filed at the same time criminal charges of domestic violence are filed.
- You must appear in Franklin County Municipal Court if you request a Temporary Protection Order.
- If the defendant pleads not guilty, a pretrial and trial is set for a later date.
- The victim may receive a subpoena which gives the court date, time and location to appear.
- The Temporary Protection Order does not include a protection order for the children unless a charge is filed on behalf of the children or you know your children are in danger.
- Custody of children is decided by Domestic Court, not Criminal Court, where the domestic violence charge is heard. Unless ordered by a Judge, the defendant has the right to visit his/her children.
- Defendant cannot be made to release any possessions including money or keys without a court order.
- The Temporary Protection Order does not guarantee safety. It lasts as long as the case is pending. If the defendant violates the Temporary Protection Order, contact the police immediately.

Safety Hints

- Don't have contact with the defendant until the case is over. Avoid places where the defendant may be.
- Carry a copy of the Temporary Protection Order with you at all times.
- Change your door locks and keep your doors and windows locked. Be around people whenever possible. Remember that witnesses are very important.
- Do not in any way encourage the defendant to break the rules of the Temporary Protection Order.
- Notify the Prosecutor if anyone tries to get you to drop the charges.

Did You Know?

- The domestic violence victim is a key witness for the City prosecutor.
- Violence in the home affects everyone regardless of race, religion, economic status, nationality or sexual preference.
- A first time Domestic Violence offender is charged with a first-degree misdemeanor, and may face up to six months in jail and/or a fine of up to \$1,000.
- If, after the defendant is convicted the first time and additional offenses occur, the defendant may be charged with a felony of the fifth degree.
- A victim of Domestic Violence may be granted a Temporary Protection Order as early as the morning after the offense occurs.
- The victim may apply for a Civil Protection Order at any time. A Civil Protection Order is similar to a Temporary Protection Order in that it prohibits the abuser from contacting or harassing the victim, but includes much more. Civil Protection Orders are obtained through private attorneys.



Victim Support Services

- **FRANKLIN COUNTY COURT OF COMMON PLEAS**
373 S. High St., 4th Floor, Columbus, OH 43215
614-462-4410
Processes the legal action necessary to terminate a marriage.
- **FIRSTLINK**
195 North Grant Ave., Columbus, OH 43215
614-221-2255
Provides connections to basic needs, legal assistance, mental and physical health care, employment, financial assistance, and support resources.
- **THE LEGAL AID SOCIETY OF COLUMBUS**
40 W. Gay St., Columbus, OH 43215
614-241-2001 | 888-246-4420
Provides free and reduced fee representation and referrals for low-income persons in non-criminal domestic cases.
- **CHILD SUPPORT ENFORCEMENT AGENCY**
373 S. High St., 13th Floor, Columbus, OH 43215
614-462-3275
Assists in collection of Court-ordered support, establishment of paternity, location of absent parents obligated to pay child support and establishment of Court orders of persons receiving public assistance.
- **COLUMBUS COALITION AGAINST FAMILY VIOLENCE**
655 East Livingston Avenue, Columbus, OH 43205
614-722-5984
- **CHOICES FOR VICTIMS OF DOMESTIC VIOLENCE**
24-Hour Phone Service | 614-224-4663
Provides emergency shelter, individual and/or group counseling, crisis hotline, outreach counseling at hospital locations, referral information and victim advocacy.
- **SOUTHEAST COMMUNITY MENTAL HEALTH CENTER**
24-Hour Emergency Service | 614-444-0800
Offers a women's support group for victims and a men's program for batterers. The men's program introduces behavior modification techniques.
- **VICTIM'S RIGHTS LAW - MARCY'S LAW**
marsyslaw.us

City of 
Upper Arlington

CITY ATTORNEY'S OFFICE

3600 Tremont Road, Upper Arlington, OH 43221
614-583-5020 | upperarlingtonoh.gov

    @CityofUA

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