



### KNOW YOUR RIGHTS

# Domestic Violence



## What is Domestic Violence?

Domestic Violence (DV) is any sort of abuse (physical, emotional, psychological, sexual) by:

- (1) Your spouse
- (2) A person who regularly resides or resided in your household (more than a roommate)
- (3) Someone you have dated or are dating
- (4) A person you had a child with
- (5) A sibling, parent, grandparent, child, grandchild, parent-in-law, or daughter/son-in-law

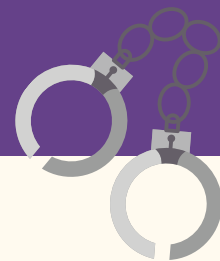
## What if I experience DV?

You have been a victim of a crime in the United States and can take legal action against your perpetrator



## What if I commit DV?

You have committed a crime in the United States and you could potentially be subject to legal action, including jail time



Created by Youth Intern, Armaan Sharma



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#### Examples of Domestic Violence

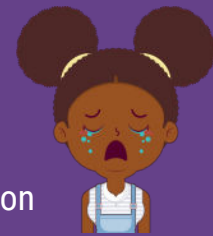
##### Physical

- Hitting, pushing, throwing
- False imprisonment
- Using Weapons
- Strangulation & suffocation
- Controlling medication or food
- Stalking



##### Emotional

- Name-calling
- Isolation
- Blaming
- Manipulation
- Intimidation/Coercion
- Gaslighting
- Threats about children



##### Sexual

- Sexual assault
- Marital sexual assault
- Hurting partner during sex
- Restricting birth control, condoms, etc



##### Harassment

- Repeated and unwanted contact of any kind
- Harassment through third parties
- Disturbing the peace



##### Economic

- Withholding money
- Taking paychecks
- Employment sabotage
- Controlling spending
- Refusing childcare payment



##### Technological

- Monitoring social media
- Demanding passwords
- Hacking into accounts
- Impersonation
- Use of spyware without consent





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#### Mythbusting



##### Gender

**"Only women are affected"**



People of all genders, including men, can experience DV

##### Relationship Type

**"Only married people face abuse"**



Abuse can happen in any type of intimate or familial relationship

##### Sexual Orientation

**"Abuse only happens in heterosexual relationships"**



LGBTQ+ people actually face disproportionate rates of violence



##### Age

**"Young people don't experience abuse"**



People ages 16-24 are at highest risk compared to other age ranges



##### Type of Abuse

**"Domestic violence is hitting and slapping (ie. physical abuse)"**



Emotional and psychological abuse are the most common forms





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## The 10 RRs (Relationship Rights)



Every individual deserves a safe, healthy, happy relationship. You deserve to....

- (1) Be treated with respect by your partner
- (2) Not take responsibility for your partner's abusive behavior
- (3) Get angry or say "NO!," but not to threaten or use force (except in self-defense)
- (4) Make mistakes, change your mind
- (5) Have your own feelings, opinions, and convictions, and express them freely
- (6) Have your needs be as important as your partner's needs
- (7) Spend time with your family and friends without your partner guiltng you
- (8) Negotiate for change in the relationship
- (9) Ask for help or emotional support
- (10) Protest unfair treatment or criticism



*Content credit to the Center for Domestic Peace's "Know Your Rights" Guide for this page*



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## What are your legal rights in the workplace?



If you are experiencing Domestic Violence, there are legal rights that you are protected by

(1) You have the right to tell your employer that you are a victim of DV, and your employer must keep it confidential or notify you if they need to report it by law

(2) If you tell your employer that you are victim of DV, you have the right to request and receive reasonable accommodations while at work

(3) You have the right to take time off to go to the police or the courts for you or your children's protection from domestic violence, or to go to licensed medical/mental health professionals. You must notify your employer of this before or provide documentation of it after

4) If your employer has 25 or more employees, you can take time off for medical/mental health treatment for trauma and wounds, as well as making a safety plan. You must notify your employer of this before or provide documentation of it after

(5) If your employer has taken disciplinary action (termination, suspension) against you for exercising any of these rights, you can file a retaliation claim against your employer.



*Content credit to the Department of Industrial Relation's "Domestic Violence and the Rights of Domestic Violence Victims" for this page*



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#### What about as an undocumented immigrant?

If you are an undocumented immigrant in the United States, you still have the right to

- (1) Call the police and other support agencies
- (2) Hide yourself and your children for protection from your violent partner
- (3) Refuse sexual activity at any time
- (4) Make decisions about your reproductive health without your partner's permission
- (5) Live free of violence and threats
- (6) Equal protection of the laws against domestic violence, even if you have entered the country unlawfully or committed another crime (obtain a restraining order)
- (7) Equal right to custody



#### Immigration Abuse?

Immigration abuse is when a partner threatens to destroy your papers, report you to ICE/deport you, and leverage your immigration status as means of control

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## Restraining Orders - What and How?

A restraining order can protect the victim, their household members, children, and pets by including these potential orders:

- (1) No contact by the restrained party
- (2) No harassing, stalking, threatening, or harming the protect person(s)
- (3) Stay away from the protected person(s) by a certain distance
- (4) Move out of the home that is shared by the protected person(s)
- (5) Not have guns, firearms, or ammunition
- (6) Pay spousal support (if married) \*DVRO only
- (7) Pay child support (if the restrained and protected parties have children together) \*DVRO only



### How to get?



You will have to a) prepare court forms online, b) serve the other side, c) go to court, and either get it approved or denied. (No lawyers or court fees necessary)

### How to enforce?

If the judge grants the restraining order, you can enforce it by calling the police or taking the restrained party to court. Violating a restraining order is a crime.



Content Credit to Self Help Courts CA