

CLAYTON POLICE DEPARTMENT
315 EAST SECOND STREET
P.O. BOX 879
CLAYTON, NC 27520
(919) 553-4611
FAX (919) 553-1512

EMERGENCY..... 911
ADMINISTRATION..... (919) 553-4611

DOMESTIC VIOLENCE

As a victim of domestic violence it may be hard for some to make that decision to leave. Some may not have family nearby to turn to for support or some may have been isolated from their families because of the abuse. Some just may not want to get their families involved. This pamphlet has been organized to let you know what resources are available to you.

It is not unusual to be afraid to leave an abusive spouse especially if children are involved. We hope that with these resources you will have the strength to follow through and be on the path to create a better life for you and your children.

HARBOR – A shelter for women and children who are victims of Domestic and/or Sexual Violence. This shelter provides a 24-hour crisis line and gives support and guidance to help you start building your new life.

24 Hour Information/Crisis Line 919-939-3566

JOHNSTON-LEE COMMUNITY ACTION – This organization provides several services to include case management, crisis intervention, budget counseling, job placement and works with individuals and families to become self-sufficient.

Johnston County (919) 934-2145
Lee County (919) 776-0746
Harnett County (910) 814-8360

JOHNSTON-LEE HEADSTART – A non-profit early childhood program that is committed to offering quality and comprehensive services to children and families that meet the Head Start guidelines. Comprehensive services: Medical, Dental, Mental Health, Nutrition, Social Services, Parent involvement, Education, Disabilities and Transportation.

JOHNSTON COUNTY 934-2145
P.O. Box 711
1102 Massey Street
Smithfield, NC 27577

HALT – A North Carolina Certified 13 month Batterers Treatment Program May be voluntary, court ordered, or Referral by the Department of Social Services. A 12 week Substance Abuse Program is also available.

P. O. Box 1153 989-7278
1329 Brightleaf Blvd.
Smithfield, NC 27577

DOMESTIC VIOLENCE HOTLINE
24 HOURS A DAY

Harbor (919) 934-6161
Mental Health (919) 989-5681
Health Department (919) 989-5251

Social Services (919) 989-5641
En Espanol (919) 989-5642
Domestic Violence Hotline..... 1-800-799-SAFE
National Victim Center ... 1-800-FYI-CALL
National Organization for Victim Assistance (202) 232-6682
National Coalition Against Domestic Violence (303) 839-1852
NC Assistance Network 1-800-348-5068

EMPLOYMENT

Employment Security Commission 934-0536
18 Noble St. Smithfield
Mitchell Temporary Services 934-0909
102 E. Johnston St., Smithfield,
Manpower Temporary Services 550-8300
11651 US 70 Hwy., Clayton
Corestaff 934-6630
204 N. 2nd Street, Smithfield
Other Sources: All Newspaper Classifieds / Telephone Book

MEDICAL ASSISTANCE

Johnston Medical Center Clayton 585-8550
2076 Highway 42 West, Clayton
Johnston Memorial Hospital 934-8171
529 N Brightleaf Blvd., Smithfield
Mental Health 989-5500
521 N. Brightleaf Blvd., Smithfield
Health Department 989-5200
WIC, Family Health Care
517 N. Brightleaf Blvd., Smithfield

EDUCATION

Johnston Community College 934-3051
ABE, High School, College
245 Johnston Tech. Rd.
P. O. Box 2350
Smithfield

LEGAL SERVICES

Legal Aide Of NC 800-682-1016

AFFORDABLE HOUSING

Benson Housing Authority 894-4710
413 Williams Drive, Benson
Clayton East Apartments 553-4858
500 Boling St., Clayton
Clayton Manor Apartments 553-4858
500 Boling St., Clayton
Housing Assistance Program 989-5070
107 Johnston St., Smithfield
Oaks/Twin Oaks Apartments 963-3756
312 Surles Dr., Four Oaks
Pine Knoll Apartments 934-6036
202 Skyland Dr., Smithfield
Selma Housing Authority 202-8329
501 West St., Selma
Smithfield Housing Authority 934-9491
801 S. Fifth St., Smithfield

OTHER ASSISTANCE

Department of Social Services 989-5300
727 Hancock St., Smithfield
Red Cross 934-8481
200 Fareway Dr., Smithfield (Victims of natural disaster)
Salvation Army 934-9102

STATE OFFICES – JOHNSTON COUNTY

District Attorney 934-3071
P. O. Box 1029 Smithfield, NC
Clerk of Court 934-3191
Magistrate 934-5020

CRIME VICTIMS' RIGHTS ACT

Through the Crime Victims' Rights Act the following information is provided to you through Chapter 15B of the General Statutes of North Carolina:

Effective July 1, 1999 an innocent victim of crime may be eligible for financial assistance through the **N.C. Crime Control and Public Safety Division of Victim and Justice Services**. Financial assistance may be available to you as a result of the crime committed against you.

To find out if you are eligible contact:

CRIME VICTIM COMPENSATION
4703 MAIL SERVICE CENTER
RALEIGH, NC 27699-4703
(919) 733-7974
OR
1-800-826-6200

If a crime was committed against you and you have not been notified of an arrest within six months after the crime was committed, you may contact the Clayton Police Department to obtain the investigating officer's name and office telephone number:

Clayton Police Department 553-4611

You may also contact the Johnston County Detention Facility to find out whether the accused has been released from the detention facility:

Johnston County Detention Facility 989-5040

If you should make any changes in your name, address and telephone number it is your responsibility to notify the investigating law enforcement agency of those changes.

SAVAN
(STATEWIDE AUTOMATED VICTIM ASSISTANCE AND NOTIFICATION)
1-877-NC-SAVAN
1-877-627-2826

SAVAN is a free, anonymous, computer based telephone program that provides victims of crime two services: Information and Notification of the release of an offender who is registered in

North Carolina state and county detention facilities. You may call the above telephone number to find out if the offender has been released. You may also register for an automated notification call for when an offender is released, transferred (from county jails only) or escapes. For offenders within the Department of Corrections, you may register to be notified on the offender's probation, parole, and post release supervision status.

PRE-TRIAL RELEASE

When an offender is charged with a crime, he/she has a right to have a bond set. If he/she meets the requirements of that bond he/she will be released from the detention facility. The only crime in which the accused may not receive a bond is for Capital Murder.

DOMESTIC VIOLENCE AND PRE-TRIAL RELEASE

When an offender is charged with a domestic violence offense he/she has a right to have a bond set. Certain offenses may fall under the 48-hour rule. If an offender is arrested for certain domestic violence offenses the magistrate may not set the bond immediately. The offender may be held until a District Court Judge is available or for up to 48 hours if a District Court Judge is not available. At that time the Magistrate will set bond.

DOMESTIC VIOLENCE – First and foremost, if domestic violence occurs call 911 to seek law enforcement intervention – IMMEDIATELY.

North Carolina Criminal and Civil Laws of Domestic Violence protect the following persons: Persons who are married; divorced; are of the opposite sex who live together or have lived together as if married; persons who have a child in common; any member of the aggrieved party's family or household and persons who are or have been in a dating relationship. These laws protect the above described persons from Domestic Violence which can be physical abuse or words which would inspire fear of bodily injury or death. North Carolina Domestic Criminal Trespass Law prohibits separated spouses, ex-spouses and former live-in partners from entering each other's place of residence or from staying after being told to leave. You must be able to prove that you no longer live together.

If an assault occurs out of the presence of a Law Enforcement Officer and you wish to press charges against the offender, you may go before the Magistrate and he/she will issue a Criminal Summons or Warrant for Arrest if probable cause is found.

DOMESTIC VIOLENCE PROTECTIVE ORDERS –Persons eligible to file for these orders are as follows:

- Current or former spouses**
- Persons of the opposite sex who live together or have lived together in the past as if married**
- Persons are related as parent and child**
- Persons who have a child in common**
- Persons of the opposite sex who are in a dating relationship**

These orders are designed to protect victims of Domestic Violence. These orders can prohibit the accused from assaulting you, going to your residence, place of business and/or school. These orders can also prohibit the accused from going to children's school/caretakers. These orders can be valid for up to one year and must be ordered by a judge.

OBTAINING A DOMESTIC VIOLENCE PROTECTIVE ORDER: If during court hours, you may file the forms with the Clerk of Court's Office and you will be directed to go before a judge to request that an order be issued. If you feel you are in immediate danger prior to a

scheduled court date, you may request Emergency Relief which may be issued (Ex Parte Order). The Ex Parte Order will be issued as a means of temporary protection until the court date which is usually scheduled within ten days. An attempt to serve a copy of the Ex Parte Order on the defendant will be made by the Sheriff's Department. The offender will also be served with a Notice of Hearing which provides him/her with the court date given to you for continuation of the Order. You must appear on this court date and request that the protection order be continued. At this time the judge may issue a Domestic Violence Protective Order which may be valid for up to one year. If you wish to obtain these orders after court hours you may go before a Magistrate and inform him/her of the facts of your case. An Ex Parte Order may be issued by the Magistrate and will be valid for up to 72 hours or until a District Court Judge is available. Each person involved will be given a copy of the Order and a copy is to be filed with the local law enforcement agency. You **MUST** keep a copy of the Order with you at **ALL** times so that a Law Enforcement Officer may be able to verify the Order in a case where the Order may have been violated.

VIOLATION OF A PROTECTIVE ORDER – If an abuser is present, call law enforcement immediately. Grounds for arrest may exist for Violation of a Civil Domestic Violence Protective Order. If the abuser has left, contact law enforcement and/or your attorney. You may also appear before the Magistrate to advise of the violation of the Protection Order. If probable cause is found, a Warrant for Arrest may be issued.

A PROTECTIVE ORDER IS A DOCUMENT SIGNED BY A JUDGE AND CANNOT BE DISMISSED BY YOU. IF YOU AND YOUR SPOUSE RECONCILE, YOU MUST HAVE THE ORDER DISMISSED BY A JUDGE.

PRECAUTIONS TO PROTECT YOU AND YOUR CHILDREN
If you are in immediate danger, leave home for your personal safety. You may seek resources in this pamphlet to assist you. **DO NOT** leave your children alone with the abuser if possible, they may be in danger of Domestic Violence. Be aware that in some cases if you leave the children it may appear to be abandonment or neglect. **SAVE ANY EVIDENCE OF DOMESTIC VIOLENCE.**

LEGAL HELP – If you obtain criminal charges against the accused the District Attorney will represent you and the State. The accused will need to hire an attorney or will be appointed a defense attorney. You may hire an attorney to file the civil action for a Domestic Violence Protective Order or you may seek assistance through the Clerk of Courts Office (as listed above) and proceed without an attorney.

TRIAL – contact the District Attorney's Office a few days prior to the trial and advise him/her of any evidence. You must appear in court at the correct date and time and be prepared to testify if necessary. If you fail to appear, the case may be dismissed or you may be held in Contempt of Court for Failure to Appear. In this case, if the abuser is released and attacks you again you should start action over again by contacting Law Enforcement and the Magistrate. If the abuser was placed on probation by a previous incident, you should also contact the Probation Officer. Breaking condition of probation can result in imprisonment.

OTHER IMPORTANT STEPS – If Domestic Violence has occurred, save any evidence that may be available (i.e.: torn or blood stained clothing, hair which may have been pulled out.) Attempt to have photographs made of injuries. Seek medical assistance if possible to document any and all injuries.

Prepared by Sergeant Tamra Gentry

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DEPARTMENT
CRIME VICTIMS
RIGHTS ACT
AND
DOMESTIC VIOLENCE
INFORMATION**



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EMERGENCY – 911
www.ClaytonPolice.org**