

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

**Help for Senior Victims of
Family Violence &
Financial Scams in
Suffolk County**

Suffolk County Executive Steven Bellone

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Dear Suffolk County Resident,

In Suffolk County, we are deeply committed to the safety of all of our residents. In particular, we must do all that we can to ensure that our senior residents are safe, feel secure and have access to resources that can assist them in their everyday lives.

According to the National Council on Aging, *approximately 1 in 10 Americans aged 60+ have experienced some form of elder abuse. Some estimates range as high as 5 million elders who are abused each year.* This document will provide much needed guidance, information and resources to help protect our seniors and raise awareness of the issue of elder abuse.

Please take the opportunity to review this guide and share pertinent information with your family and friends. Being armed with accurate information will allow us all to better serve as advocates for our seniors.

I offer a special thank you to the Suffolk County Task Force to Prevent Family Violence and the Legal Systems Subcommittee for taking the time to create this most important document that will surely serve as an educational tool for all.

Sincerely,

Steve Bellone, County Executive

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What is Family Violence and Elder Abuse?

Crimes involving family members as offenders and victims are considered incidents involving family violence. Domestic violence (intimate partner) and family violence (non-intimate partner), including physical, sexual, and financial abuse, neglect and maltreatment of children, and elder abuse occurs throughout communities regardless of age, economic status, race, religion, sexual orientation, nationality or educational background.

Approximately 1 in 10 Americans aged 60+ have experienced some form of elder abuse. Some estimates range as high as 5 million elders who are abused each year. One study estimated that only 1 in 14 cases of abuse are reported to authorities.

Elder abuse includes physical abuse, emotional abuse, sexual abuse, financial abuse, exploitation, neglect, and abandonment. Perpetrators include children, other family members, and spouses—as well as staff at nursing homes, assisted living, and other facilities. Abusers are both women and men. In almost 60% of elder abuse and neglect incidents, the perpetrator is a family member. Two thirds of perpetrators are adult children or spouses. Social isolation and mental impairment (such as dementia or Alzheimer’s disease) are two risk factors. Recent studies show that nearly half of those with dementia experienced abuse or neglect. Interpersonal violence also occurs at disproportionately higher rates among adults with disabilities.

Warning Signs and Effects of Elder Abuse

- **Physical abuse, neglect, or mistreatment:** Bruises, pressure marks, broken bones, abrasions, burns.
- **Emotional abuse:** Unexplained withdrawal from normal activities, a sudden change in alertness, or unusual depression; strained or tense relationships; frequent arguments between the caregiver and older adult.
- **Financial abuse:** Sudden changes in financial situations.
- **Neglect:** Bedsores, unattended medical needs, poor hygiene, unusual weight loss.

Elders who have been abused have a 300% higher risk of death when compared to those who have not been mistreated. While likely underreported, elder financial abuse and fraud cost older Americans \$36.5 billion per year. Yet, financial exploitation is self-reported at rates higher than emotional, physical, and sexual abuse or neglect.

Legal and other Support Services for Seniors

Suffolk County APS (Adult Protective Services):

(631) 854-3195, (631) 854-3196, and (631) 854-3197

Provides services for persons over 18 who are physically or mentally impaired and who are in a situation where they are harmed or threatened with harm by the actions of themselves or others. This often involves the frail elderly and adults who are physically or mentally disabled, seriously ill or alcohol/substance abusers.

Potential clients have no one able or willing to help them meet their essential needs such as food, clothing, shelter, and medical care. Any concerned person or agency should make a referral for services using the three numbers provided above. All calls are confidential and may be made anonymously.

Suffolk County District Attorney's Office

Elder Abuse Unit: (631) 853-5602

The District Attorney's Office is dedicated to aggressively prosecuting crimes against elderly victims, whether those crimes involve physical abuse or neglect, or financial exploitation. Perpetrators of such crimes are often persons who have a familial or close personal relationship with the victim. The elderly are also vulnerable to victimization by professionals who provide services to them, either in their daily care or in handling financial matters on their behalf. The Elder Abuse Unit of the District Attorney's Office has a dedicated staff of assistant district attorneys, detective investigators, and forensic accountants that specialize in the investigation and prosecution of elder abuse and financial exploitation. The EAU works in cooperation with the Suffolk County Police Department, Adult Protective Services, and other social service agencies to ensure that these crimes are thoroughly investigated and successfully prosecuted.

Senior Citizens Law Program – Touro Law Center

Legal services are provided by licensed attorneys, without charge, to Suffolk County residents only, ages 60+. No assistance for criminal charges, divorces, or real estate matters. Funding is provided by the U.S. Department of Health and Human Services and the New York State Office for the Aging through the Suffolk County Office for the Aging.

For more information please call (631) 761 - 7470

Suffolk County Office for the Aging

The Suffolk County Office for the Aging is the designated Area Agency on Aging under the Older Americans Act. For over 40 years, Suffolk County Office for the Aging has administered federal, state, and county programs for persons 60 years of age and older.

Specific goals for the Office are to develop a comprehensive service system designed to assist persons 60 years of age and older in maintaining maximum independence and dignity, to remove barriers to economic and personal independence, and to provide a continuum of care for the vulnerable elderly. Most importantly, Suffolk County Office for the Aging acts as an advocate on behalf of all Suffolk County senior citizens.

Contact the Office for information about the many programs and services offered.

Hauppauge: (631) 853-8200 ■ Riverhead (631) 852-1420

Family Service League Senior Services

(631) 427-3700

Family Service League sponsors a number of vital programs that provide advocacy for aging seniors, and critical aid for younger family members who have assumed responsibility for the care of their elderly relatives. Families typically struggle finding adequate time and financing to care for their senior relatives. Often not aware of the social and economic resources available to elderly citizens, many seniors find their way to the family centers for mental health, substance abuse, and case management services. FSL senior programs provide a number of valuable programs specifically for our aging population— dispensing improved health and independence, and enhancing the overall quality of their lives.

Victim Support Services

The following Suffolk County victim support service agencies provide bilingual services including but not limited to, law enforcement and courtroom accompaniment, criminal and family court advocacy, including obtaining an order of protection, short and long term counseling, and assistance in obtaining reimbursement for expenses related to crime.

- Brighter Tomorrows (631) 395-3116/(631) 395-1800
- Crime Victims Center (Centro De Victimas De Crimen)
(631) 689-2672/(631) 332-9234
- L.I. Against Domestic Violence (631) 666-7181/(631) 666-8833
- The Retreat (631) 329-4398/(631) 329-2200
- Sepa Mujer (631) 980-2555 (Not 24 Hours)
- VIBS Family Violence and Rape Crisis Center
(631) 360-3730/(631) 360-3606

Town Programs for Seniors

Town of Babylon Department of Human Services	(631) 464-4340 x 200
North Amityville Senior Citizen Center	(631) 789-3309
Tanner Park Senior Citizen Center	(631) 842-7773
Wyandanch Senior Citizen Nutrition Center	(631) 464-4340
Spangle Drive Senior Citizen Center	(631) 422-7614
Town of Brookhaven	
Senior Citizens Division	(631) 451-9191
Town of East Hampton	
Town of East Hampton Human Services Department	(631) 329-6939
Town of Huntington	
Town of Huntington Senior Division	(631) 351-3253
Town of Islip Senior Citizen Services	(631) 224-5340
Brentwood Center	(631) 436-6072
Central Islip Center	(631) 595-3508
Joyce Fitzpatrick Center	(631) 224-5396
Oakdale Center	(631) 472-7023
Ronkonkoma Senior Center	(631) 467-3324
West Islip Center	(631) 893-8932
Town of Riverhead	
Senior Citizen Programs	(631) 722-4444 ext. 290
Town of Shelter Island	
Shelter Island Office for Senior Services	(631) 749-1059
Town of Smithtown	
Senior Citizens Department	(631) 360-7616
Town of Southampton Senior Services Division	(631) 728-1235
Flanders Senior Center	(631) 702-2375
Bridgethampden Senior Center	(631) 537-3027
Hampton Bays Senior Center	(631) 728-1235
Town of Southold Senior Services	(631) 298-4460

Support Services for Family Violence Victims

The Suffolk County Agencies that provide family violence support services, including counseling, with Hotline contact numbers are: (Hablamos Español):

	Office/Hotline
• Brighter Tomorrows	(631) 395-3116/(631) 395-1800
• Crime Victims Center (Centro De Victimas De Crimen)	(631) 689-2672/(631) 332-9234
• L.I. Against Domestic Violence	(631) 666-7181/(631) 666-8833
• The Retreat	(631) 329-4398/(631) 329-2200
• Sepa Mujer	(631) 980-2555 (Not 24 Hours)
• VIBS Family Violence and Rape Crisis Center	(631) 360-3730/(631) 360-3606
• Suffolk County Police Domestic Violence and Elder Abuse	(631) 854-7520/ 911 after hours
• In Case of Emergency DIAL 911	

If the family violence victim is unrepresented:

For legal forms, information, legal research and legal referral resources contact:

- Nassau Suffolk Law Services: (631) 232-2400
- The Law Library Resource Program for the Public (LLRP): (631) 853-6064
- The Crime Victims Center provides free U VISA application assistance for eligible victims of violent crime: (631) 689-2672

If the family violence victim would like LGBTQ services: (631) 665-2300

If Patient has been Raped or Sexually Assaulted within the past 96 hours:

Sexual Assault Nurse Examiner (SANE) Centers provide the services of registered nurses who have advanced education in the sensitive treatment and clinical preparation during forensic examination of sexual assault victims. Contact VIBS Family Violence and Rape Crisis Center at (631) 360-3606 for further information on SANE Centers and their Emergency Room Companion Program. Also, contact the Crime Victims Center for Emergency Room SAFE Exam Rape Crisis Counselor Accompaniment for Suffolk County inmates (833) CVC-4ALL.

Stony Brook University Medical Center

101 Nicholls Road
Stony Brook, New York 11794

Good Samaritan Hospital Medical Center

1000 Montauk Highway
West Islip NY 11795

Peconic Bay Medical Center

1300 Roanoke Avenue
Riverhead, NY 11901

Financial Scams and How to Protect Yourself

Senior Citizens can find themselves victims of crime even when they do not expect it. There are many sources of information to help prevent you from becoming a victim. Here are a few of the most common scams committed against seniors:

1. **IF SOMEONE CALLS or EMAILS YOU ASKING FOR YOU TO PURCHASE A GIFTCARD TO MAKE A PAYMENT FOR WHATEVER REASON – IT IS A SCAM.**
2. **The Grandparent Scam:** This is a scam that starts out with a call for help from someone who claims to be a grandchild or other relative. The caller may or may not identify themselves or just wait for you to ask “Is this...” After saying that name, the caller will then proceed to tell you that they are in trouble and need help. They might say that they are travelling abroad, or in another state and got into a vehicle accident, or were arrested. In order to get out of jail or pay for damages, they need grandma or grandpa to help them out. They may also beg you not to tell their parents. It is possible that another person claiming to be an official with a police department or other agency might come on the phone and tell you how much money is needed to help the grandchild or other relative and that you can wire money to them or purchase a gift card or money order to get that person out of trouble.

What to do:

Don't fall for this! Here are a few steps to help you:

- a. Identify the caller first. Ask them something you both know like their mom or dad's birthday. Don't just trust that you know the caller by voice alone.
 - b. Never wire money without verifying the identity of the caller.
 - c. Identify and verify the law enforcement agency, hospital, or repair shop that the caller claims to be dealing with.
 - d. Don't send any payments without speaking to the child's parents to find out if they are really out of town. You may think you are doing them a favor but you may also be the real victim.
 - e. Report the incident to the Police.
3. **IRS Scam:** A caller will contact you or leave a message indicating that they are a representative of the Internal Revenue Service and that you are in danger of being arrested or fined due to some discrepancies in your taxes.

What to do:

- a. Record the number that you are being called from if you can. The IRS does not usually make telephone calls to contact people in trouble with their taxes. Even if the caller tries to apply pressure on you to make a payment, it's not the IRS policy to call.

- b. Contact a legitimate IRS number to find out if there is a problem with your taxes and to report the number that called you. The IRS has toll free numbers available to customers to verify their tax status. You can call 1-800-829-1040 to find out if there is a problem.
- c. Do not send any payment, or provide any personal information or credit/debit card information to anyone, no matter who they claim to be. The IRS DOES NOT accept any payment via gift card.
- d. Report the incident to the Police.

- 4. Utility Scam:** Similar to the IRS scam, a caller identifying themselves as the billing department or a collection agency working for your local utility will contact you looking for back payment or your services will be turned off.

What to do:

- a. Contact the official billing department at the utility to verify the problem. Deal only with that office in order to verify that any payments are received.
- b. Do not send anyone claiming to be with that utility or working for it any money until you verify the information.
- c. Report the incident to the Police.

- 5. Lottery Scam:** This is the classic “you are a winner” scam. You receive a letter, email, or phone call indicting that you have already won something. All you have to do is pay a “handling or transfer fee” and your prize will be sent to you. If it sounds too good to be true, it probably is too good to be true.

What to do:

- a. Look up a contact number different from any supplied by the letter or caller. Verify that the company/contest is legitimate.
- b. Do not send any money or give out any personal information unless you can verify this information.

- 6. Home Improvement/Free Inspection Scams:** A contractor or someone saying they work for a contractor will come to your door and offer to look at your house. They may say that they see flaws in your roof or concrete and will give you an estimate or fix it.

What to do:

- a. Ask them to come back at a later date. This provides you with time to verify their company.
- b. Get more than one estimate. Ask your friends, neighbors, or relatives if they have heard of the company. Ask them if they have someone they could recommend to you instead.

- c. Get references.
- d. Don't let someone into your home that you don't know. If they want your business they will come back.
- e. Never pay anyone cash up front for work that hasn't been done.
- f. Never pay cash, pay by check or by credit card.

7. Identity Theft. Any of the above scams or cons may ask for your personal information. If they do, it is possible that the information you provide could be used by the scammer to gain access to your savings, checking, or credit information.

What to do:

- a. Never give out personal information. The most common information requested for any form of verification is your Social Security number. Never give it out.
- b. Your banking or credit information is the next most common information requested. Do not give out any information unless you are 100% sure who you are dealing with.
- c. Protect your computer with proper internet safety settings. Firewalls and malware protection may sound foreign to you, but they are essential to safe operation online.
- d. Do not open any emails unless you are sure who they are coming from. Some emails have viruses or programs that allow access to the rest of the information on your computer. Delete them and run a virus scan.
- e. If you are not certain how to run scans or set up programs to protect your computer, ask a trusted person. A trusted family member may be able to help you set up programs. Additionally, libraries often run classes on computer use and protection.

8. Internet Scams and Protecting Your Computer

FBI Scam and Safety: <https://www.fbi.gov/scams-and-safety/on-the-internet>

Below are some key steps to protecting your computer from intrusion:

Keep Your Firewall Turned On

A firewall helps protect your computer from hackers who might try to gain access to crash it, delete information, or even steal passwords or other sensitive information. Software firewalls are widely recommended for single computers. The software is prepackaged on some operating systems or can be purchased for individual computers. For multiple networked computers, hardware routers typically provide firewall protection.

Install or Update Your Antivirus Software

Antivirus software is designed to prevent malicious software programs from embedding on your computer. If it detects malicious code, like a virus or a worm, it works to disarm or remove it. Viruses can infect computers without users' knowledge. Most types of antivirus software can be set up to update automatically.

Install or Update Your Antispyware Technology

Spyware is just what it sounds like—software that is surreptitiously installed on your computer to let others peer into your activities on the computer. Some spyware collects information about you without your consent or produces unwanted pop-up ads on your web browser. Some operating systems offer free spyware protection, and inexpensive software is readily available for download on the Internet or at your local computer store. Be wary of ads on the Internet offering downloadable antispyware—in some cases these products may be fake and may actually contain spyware or other malicious code. It's like buying groceries—shop where you trust.

Keep Your Operating System Up to Date

Computer operating systems are periodically updated to stay in tune with technology requirements and to fix security holes. Be sure to install the updates to ensure your computer has the latest protection.

Be Careful What You Download

Carelessly downloading e-mail attachments can circumvent even the most vigilant anti-virus software. Never open an e-mail attachment from someone you don't know, and be wary of forwarded attachments from people you do know. They may have unwittingly advanced malicious code.

Turn Off Your Computer

With the growth of high-speed Internet connections, many opt to leave their computers on and ready for action. The downside is that being “always on” renders computers more susceptible. Beyond firewall protection, which is designed to fend off unwanted attacks, turning the computer off effectively severs an attacker's connection—be it spyware or a botnet that employs your computer's resources to reach out to other unwitting users.

- 9. Elder Abuse:** Elder abuse occurs when a caregiver or other trusted person acts in a manner that can lead to the harm of a vulnerable senior. Examples of this can be financial, medical, or social.
- a. Financial abuse can occur when a person trusted with helping you with your finances takes advantage of this and misuses or steals your money.
 - b. Medical abuse can occur when your caregiver does not ensure you are taking your medication or withholds it from you for any reason. This can include the theft of medication as well.
 - c. Social abuse can occur when a caregiver prevents your interaction with family members or limits your contact with the other social outlets for the purpose of making you dependent on them.

What to do:

Elder abuse should be reported to the authorities. The police or adult protective services can investigate and assist with protecting you from elder abuse.

A Victim of Family Violence May Obtain an Order of Protection in Suffolk County from Criminal Court and Family Court

There are two types of orders of protection, a Family Court Order of Protection and a Criminal Court Order of Protection:

1. Criminal Court order of protection?

- A criminal court order of protection provides protection for alleged victims of crime and/or witnesses to crime where a criminal charge has been filed by police against a defendant.

2. Family Court order of protection

- An alleged victim does not need a police report or a criminal charge to obtain an order of protection in Family Court. This is a civil order that provides protection for the alleged victim from someone who commits a family offense against the alleged victim AND who is someone to whom the alleged victim is/was married, someone to whom the alleged victim is related by blood or marriage, someone with whom the alleged victim has a child in common, or someone with whom the alleged victim has/had an intimate relationship.

An alleged victim of a family offense can go to Family Court in Central Islip or Riverhead to apply for an order of protection. The family offenses are listed on pages 15 and 16. There is no cost to file for an order of protection.

- In Family Court, the person who requests the order of protection is called “the petitioner.” The person against whom the order is requested is called “the respondent.”

What information is needed for Family Court?

- The names, addresses contact information and dates of birth of the parties.
- A description of the facts.
- The approximate dates the acts were committed.

What additional information may be helpful?

- Police reports or domestic violence incident reports and witnesses, if any.
- Does the respondent possess a weapon? If yes, what type?

It would be helpful to know or have the respondent's:

- Photograph
- Full Name and Date of Birth
- Address
- Home Phone Number
- Cell Phone and Work Number
- Vehicle Make, Type, Year, Plate, Color
- Employer Name and Address
- Race, Ethnicity
- Height, Weight, Hair , Eye Color
- Tattoos/Other Distinguishing Features

How long is a permanent order of protection?

- In Family Court, a final order of protection may last one to five years, depending on the facts of your specific case.

What does “refrain from” mean in an order of protection?

- “Refrain from” means that the respondent must not do certain acts or behaviors

What does “stay away” mean in an order of protection?

- A “stay away” condition may direct the respondent to stay away from the petitioner and/or the petitioner’s home, school and/or place of employment. It may order the respondent to stay away from the child/children of one or both parties.

When does the order take effect?

- As soon as the respondent has been served with the order.

When does an order of protection get served on the respondent?

- A deputy from the Sheriff’s office will serve the order as soon as possible, day or night. The deputy will attempt to serve the order of protection at the respondent’s home or place of business, or any valid address provided by the petitioner. The sheriff will continue to make attempts to serve the order of protection, but if the respondent avoids being served the order cannot be enforced.

If the judge issues a “stay away” and the respondent and petitioner live in the same place, how soon must the respondent leave?

- As soon as the respondent has been served with the order. The respondent will be permitted to retrieve personal belongings, with the aid of the Sheriff or Police, and may be escorted from the home.

What if there is no “stay away” provision?

- The respondent may continue to be with the petitioner. If the parties have been living together they may continue to do so.

What if the respondent disobeys the order of protection?

- If the respondent violates the order of protection, the police must be contacted by calling 911. If it is determined by the police that the order of protection was violated there will be an arrest. If there is an arrest for a violation of the Family Court order of protection, the respondent will be charged with Criminal Contempt, a crime. In addition, the victim may be issued an order of protection by the criminal court judge. The District Attorney’s office can provide copies of the criminal court order of protection.
- If the respondent violates a Family Court order of protection, the victim may also file a violation petition in Family Court. The violation petition and a summons must be served upon the respondent, or the court may issue a warrant for the respondent’s arrest. The Family Court will hold a hearing to determine whether the respondent disobeyed the order of protection and to determine what action should be taken against the respondent. The Probation Department may be asked to investigate and make a recommendation to the court. The judge may order a period of incarceration for up to 6 months, or a change in the conditions in the order of protection (such as

an extension of the order for longer than the initial time period). The respondent may be ordered to pay the petitioner's attorney fees for the violation case.

Will an order of protection guarantee a person's safety?

An order of protection **cannot guarantee safety** and it is important that the victim of domestic violence consistently contact police if the order is violated and have a safety plan. If the respondent violates (does not obey) the order, here are some things that can happen to help keep victims safer:

- If there is a determination that the respondent has violated the family court order the respondent can go to jail
- The respondent can be charged with a more serious crime such as criminal contempt, and could be prosecuted by the DA.
- The respondent can have weapons taken away.
- A more restrictive and/or longer lasting order may be issued.

Suffolk County Agencies that provide these services with Hotline contact numbers are:
(Hablamos Español):

- Brighter Tomorrows (631) 395-3116/(631) 395-1800
- Crime Victims Center at PFML (Centro De Victimas De Crimen) (631) 689-2672/(631) 332-9234
- L.I. Against Domestic Violence (631) 666-7181/(631) 666-8833
- The Retreat (631) 329-4398/(631) 329-2200
- Sepa Mujer (631) 980-2555 (Not 24 Hours)
- VIBS Family Violence and Rape Crisis Center (631) 360-3730/(631) 360-3606
- Suffolk County Police Domestic Violence and Elder Abuse (631) 854-7520
- **In Case of Emergency DIAL 911**

If the domestic violence victim is unrepresented:

For legal forms, information, legal research and legal referral resources they should contact:

- Nassau Suffolk Law Services: (631) 232-2400
- The Law Library Resource Program for the Public (LLRP): (631) 853-6064

The **Crime Victims Center** provides free U VISA application assistance for eligible victims of violent crime: (631) 689-2672

If you are unrepresented:

For legal forms, information, legal research and legal referral resources contact:

- Nassau Suffolk Law Services: (631) 232-2400
- The Law Library Resource Program for the Public (LLRP): (631) 853-6064

Domestic Violence Victims Need to be Encouraged to Have a Safety Plan in place which would include packing a bag (which can be easily accessed and transported) with the following:

- Essentials for themselves and their children, including clothing and any medications
- Copies of any court orders granting custody, visitation, protection or support
- Birth certificates, school records and immunizations, medical records, address books, social security cards, driver's license, marriage license or divorce papers, insurance information
- Social services and/or Medicaid documentation if applicable
- Passports or green cards
- Important phone numbers to contact in an emergency
- House and car keys, and vehicle registration and insurance
- Money, bankbooks, checkbooks, credit cards, financial records

If any one or a combination of the following family offenses were committed, a victim of domestic violence may be eligible for an order of protection (temporary/permanent). The following summaries of the family offenses will assist you in providing valuable information to a patient that you believe may be a victim of domestic violence.

National Center on Protection Orders and Full Faith & Credit (NCPOFFC).

Federal law requires that all valid orders of protection granted by a court of any jurisdiction must be enforced to protect victims wherever a violation of an order occurs, regardless of where the order was issued. The Full Faith and Credit (FFC) provision of the Federal Violence Against Women Act (VAWA) requires that protection orders issued in one jurisdiction must be recognized and enforced in other jurisdictions. The effective enforcement of protection orders across jurisdictional lines is vital to the safety of victims. In 2009, the name was changed to reflect the comprehensive scope of protection order-related work undertaken by the office, thus the National Center on Protection Orders and Full Faith & Credit (NCPOFFC).

The FAMILY OFFENSES are:

Disorderly Conduct- intentionally causing public inconvenience, annoyance or alarm.

Aggravated Harassment 2nd Degree - Section 240.30 – 1. With intent to harass another person, the actor either (a) communicates, anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person, or a member of such person's same family or household, and the actor knows or reasonably should know that such communication will cause such person to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such person's same family or household; or (b) causes a communication to be initiated anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person, a member of such person's same family or household, and the actor knows or reasonably should know that such communication will cause such person to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such person's same family or household; or 2. With intent to harass or threaten another person, he or she makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate communication; or 3. With the intent to harass, annoy, threaten or alarm another person, he or she strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of a belief or perception regarding such person's race, color, national origin, ancestry,

gender, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct; or 4. With the intent to harass, annoy, threaten or alarm another person, he or she strikes, shoves, kicks or otherwise subjects another person to physical contact thereby causing physical injury to such person or to a family or household member of such person; or 5. He or she commits the crime of harassment in the first degree and has previously been convicted of the crime of harassment in the first degree as defined by section 240.25 of this article within the preceding ten years.

Harassment 1st Degree- intentionally and repeatedly harassing another person by following in or about a public place or by engaging in a course of conduct by repeatedly committing acts that place such person in reasonable fear of physical injury.

Harassment 2nd Degree- intentionally striking, shoving, kicking or subjecting another person to physical contact or threatening to do same or follows someone around in a public place.

Assault 2nd Degree- intentionally causing serious physical injury to another person or a third person or intentionally causing physical injury with a deadly weapon or dangerous instrument.

Assault 3rd Degree- intentionally or recklessly causing physical injury to another person.

Criminal Mischief- recklessly and/or intentionally damaging the property of another exceeding the amount of two hundred and fifty dollars or prevents a person from communicating a request for emergency assistance.

Sexual Abuse 2nd Degree- subjecting another person to sexual contact when such other person is incapable to consent by some factor other than being less than 17 years old.

Sexual Abuse 3rd Degree- subjecting another person to sexual contact when such other person is incapable to consent by reason of being less than 17 years old and such other person is more than 14 years old and the defendant was less than 5 years older than such other person.

Menacing 2nd Degree- intentionally placing or attempting to place another person in reasonable fear of physical injury or death by displaying a deadly weapon or dangerous instrument. Repeatedly following a person or engaging in a course of conduct or repeatedly committing acts over a period of time intentionally placing or attempting to place another person in reasonable fear of physical injury or death.

Menacing 3rd Degree- intentionally placing or attempting to place another person in fear of death, imminent serious physical injury or physical injury.

Reckless Endangerment- Recklessly engaging in conduct which creates a substantial risk of serious physical injury or a grave risk of death to another person.

Stalking- occurs when anyone repeatedly causes you to fear for your safety. It requires a pattern of repeated acts, for no legitimate purpose, and they do not have to be criminal offenses. It is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business and the respondent was previously clearly informed to cease that conduct.

Attempted Assault- attempting to cause physical injury to another person.

Sexual Misconduct- engaging in sexual intercourse or oral sexual contact with another person without such person's consent.

Forcible Touching- intentionally and for no legitimate purpose, forcibly touching the sexual or other intimate parts of another person.

Strangulation 1st Degree – when someone commits the crime of criminal obstruction of breathing or blood circulation and causes serious physical injury.

Strangulation 2nd Degree - when someone commits the crime of criminal obstruction of breathing or blood circulation and causes stupor, loss of consciousness for any period of time, or any other physical injury or impairment.

Criminal Obstruction of Breathing or Blood Circulation - when, with intent to impede the normal breathing or circulation of the blood of another person, he or she: applies pressure on the throat or neck of such person; or blocks the nose or mouth of such person.

Identity Theft 1st Degree- when someone uses another person's personal identification information, such as credit card number or social security number, to obtain something of value and that something is worth more than two thousand dollars, or uses another person's personal information to cause financial loss to that person of more than two thousand dollars.

Identity Theft 2nd Degree- when someone uses another person's personal identification information, such as credit card number or social security number, to obtain something of value and that something is worth more than five hundred dollars, or uses another person's personal information to cause financial loss to that person of more than five hundred dollars.

Identity Theft 3rd Degree- when someone uses another person's personal identification information, such as a credit card number or social security number, to obtain something of value.

Grand Larceny 3rd Degree- when a person steals property and when the property exceeds three thousand dollars or is obtained by extortion or instilling fear in the victim.

Grand Larceny 4th Degree- when a person steals property and the property exceeds one thousand dollars or is an official document, secret scientific material, a credit card, a firearm, a vehicle, an item of religious significance, an item obtained through extortion or is any item taken from another person

Coercion 2nd Degree- When someone compels another person to engage in activity that they do not wish to engage in out of fear that the first person will cause physical injury, damage property, or make them commit a criminal act.

Notes