

DOMESTIC ABUSE



JOINT BASE ANDREWS LAW CENTER

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Domestic abuse occurs throughout society, regardless of social status, race or religious preference. This handout explains the definition of abuse in Maryland, Virginia, and Washington, D.C., and the requirements for obtaining a protective order. Protection orders are civil orders issued by a court that provide certain relief to victims of domestic violence, such as preventing the abusers from committing certain acts against the victims.

REQUIREMENTS FOR A CIVIL PROTECTION ORDER

In Maryland, the victim may be required to show that he or she is related to the offender by:

1. **Blood or adoption;**
2. **Marriage;**
If the victim is a parent, stepparent, child, or stepchild of the offender, the victim must have resided with the offender for 90 days in the past year.
3. **Having a child in common;**
4. **Sharing a residence;**
5. **Maintaining or having maintained a romantic relationship.**
The victim must have had a sexual relationship with the offender within the past year.

Any vulnerable adult, lacking the mental or physical capacity to provide for his or her own daily needs, may also be a victim, regardless of relationship to the offender.

In Virginia, a protection order may be issued to protect a victim and his or her family or household members. Additional information may be found at: <https://www.dcjs.virginia.gov/victims/documents/protectiveordersguide.pdf>.

In Washington, D.C., to request a domestic protection order the the victim and the offender must have had one of the following relationships:

1. **Interpersonal;**
Victim and offender share or shared a residence, or victim is or was married to, living with, or involved with a person who is or was married to, living with, or involved with the offender
2. **Intimate partner;**
Victim and offender are or were married, in a domestic partnership, or in a romantic, dating, or sexual relationship
3. **Intrafamily;**
Victim and offender are related by blood, adoption, legal custody, marriage, or domestic partnership, or have a child in common

FILING ON BEHALF OF MINOR CHILDREN

In Maryland, if the petitioner is filing on behalf of a minor child, the petitioner must either (1) be related to the minor child by blood, marriage or adoption, or (2) reside in the same house with the child.

In D.C., if a minor wants to petition:

1. A parent, guardian, custodian, or other appropriate adult may file on the minor's behalf
2. A minor 16 or older may file independently
3. Minors between 12 and 16 who are victims of intimate partner violence may file independently, but the court may appoint an attorney
4. Minors between 12 and 16 who are victims of interpersonal or intrafamily violence must have a parent, guardian, or custodian file the petition
5. Minors under 12 must have a parent, guardian, or custodian file the petition

The victim must prove an act of abuse by the offender. In Maryland, an act of abuse includes any of the following:

- An act that causes serious bodily harm;
- An act that places a person eligible for relief in fear of imminent serious bodily harm;
- Assault in any degree;
- Rape or sexual offense;
- Attempted rape or sexual offense in any degree;
- False imprisonment; or
- Stalking.

Nothing in this definition prohibits reasonable physical punishment, in light of the age and condition of the child, from being performed by a parent or stepparent of the child.

In D.C., the victim only needs to show that the offender committed or threatened to commit an act against the victim that is punishable as a criminal offense.

In Virginia, the victim must show that the offender was arrested or convicted of any criminal offense resulting from the commission of an act of violence, force, or threat, or that a hearing was held for a preliminary protective order. The preliminary hearing must allege that the victim was, within a reasonable time period, subjected to an act of violence, force, or threat resulting in bodily harm or placing the victim in reasonable fear of death, sexual assault, or bodily harm. Such acts would include stalking and forceful detention.

If these requirements are met, then the victim can file a petition for a protection order with the court.

If the court finds that the alleged abuse has occurred, the court may grant a protective order. The protective order may order the offender to:

- Stop threatening or committing abuse;
- Stay away from victim's home, employment, or school; or
- Have no contact with victim or others.

The protective order may award the victim the following relief:

- Temporary use and possession of home;
- Temporary custody of the children; or
- Temporary financial support.

HOW TO FIND HELP

A victim of domestic abuse should seek assistance immediately. The Andrews AFB Family Advocacy Office provides many services to assist victims of domestic violence and abuse. The Family Advocacy Office will assess the situation and assist victims with necessary medical and psychological treatment. If a threat of future abuse exists, every effort will be made to protect the victim(s) from the abuser. Counseling and other treatment programs are also available to assist victims and families in resolving issues of domestic abuse. The phone number for the Andrews AFB Family Advocacy Office is (240) 857-9680.

The Andrews AFB Legal Office, through the Victim/Witness Protection Program, can assist victims of domestic abuse to understand their rights under the legal system. Financial assistance may be available to victims of domestic abuse.

COMMUNITY RESOURCES

Military Family Advocacy Programs

Andrews AFB	(240) 857-9680
Bolling AFB	(202) 767-0450
Coast Guard HQ	1-800-872-4957 ext. 932
Fort Belvoir	(703) 805-2693
Fort Meade	(301) 677-5590
Fort Myer	(703) 696-3512
MCB Quantico	(703) 784-2570
Naval Station Norfolk	(757) 444-2230

National Domestic Violence Hotline

1-800-799-7233

Virginia Family Violence & Sexual Assault Hotline

1-800-838-8238

Virginia Domestic Violence Shelter Hotlines

Alexandria Domestic Violence Program:
(703) 746-4911

Doorways for Women and Families (Arlington):
(703) 237-0881

Bethany House of Northern Virginia (Falls Church):
(703) 658-9500

Fairfax County Artemis House:
(703) 435 4940

Fairfax County Victim Assistance Network:
(703) 360-7273

ACTS/Turning Points (Prince William County):
(703) 221-4951

Loudoun County Abused Women's Shelter:
(703) 777-6552

Virginians Against Domestic Violence:
(800)-838-8238

Maryland Domestic Violence Shelter Hotlines

Anne Arundel County Crisis Center Hotline:
(410) 222-7273

Charles County Center for Abused Persons:
(301) 645-3336

Howard County Domestic Violence Center:
(410) 997-0304

Montgomery County Crisis Center:
(240) 777-4000

Prince George's County Family Crisis Center:
(301) 731-1203

House of Ruth:
(410) 889-7884

Washington, D.C. Domestic Violence Shelter Hotlines

House of Ruth, Domestic Violence Support Center:
(202) 667-7001

My Sister's Place:
(202) 529-5991

Survivors and Advocates for Empowerment, Inc.
(SAFE):
(202) 879-7851